

Message

Sent: 4/29/2019 4:53:52 PM
To: andyk26; **Personal Address / Ex. 6**
Subject: RE: EPA Small Business Glider Builder Notification Letter

I have a couple additional questions:

- Were **Personal Address / Ex. 6** gliders built for other companies built in 2014? What companies were they built for?
- How are Andy Knowles Trucking and Super K affiliated. Is there shared ownership?
-

From: andyk26; **Personal Address / Ex. 6**
Sent: Friday, April 26, 2019 4:42 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: EPA Small Business Glider Builder Notification Letter

Hi. yes we share the same adress and work together on some projects. Thank you.

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

----- Original message -----

From: "Healy, Stephen" <healy.stephen@epa.gov>
Date: 4/26/19 2:56 PM (GMT-05:00)
To: andyk26; **Personal Address / Ex. 6**
Subject: RE: EPA Small Business Glider Builder Notification Letter

Is Andy Knowles Trucking affiliated with Super K Express? You share the same address.

Thank you,

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: andyk26 [Personal Address / Ex. 6]
Sent: Friday, April 19, 2019 5:07 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: EPA Small Business Glider Builder Notification Letter

Thank you for your response. I did not sell any but I did assemble gliders for 2 companies

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

----- Original message -----

From: "Healy, Stephen" <healy.stephen@epa.gov>
Date: 4/18/19 1:14 PM (GMT-05:00)
To: Andyk26 [Personal Address / Ex. 6]
Subject: EPA Small Business Glider Builder Notification Letter

Joe,

I received you EPA small business glider builder notification letter from Van Bogan at Peach State Freightliner. I have a question for you: Did Andy Knowles Trucking sell a glider to another company in 2014?

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

Message

Sent: 6/10/2019 6:06:25 AM
To: Webmail trucking1 [trucking1@ohiohills.com]
CC: Monroe, Lyle [lmonroe@tlgtrucks.com]
Subject: RE: EPA Small Business Glider Builder Notification Letter Update
Attachments: 2020 Huntley Trucking Inc Small Business Update 4-26-19.pdf

Steve,

I have one more question – how many gliders did you assemble in 2018? The regulations require that you report the number of gliders you build each year

From: Webmail trucking1 <trucking1@ohiohills.com>
Sent: Tuesday, April 23, 2019 4:39 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: EPA Small Business Glider Builder Notification Letter Update

Stephen,
Just checking to see if you received our new letter.

Thank You
Steve Huntley
Huntley Trucking Co.

From: "Stephen Healy" <healy.stephen@epa.gov>
To: "Webmail trucking1" <trucking1@ohiohills.com>
Cc: "lmonroe" <lmonroe@tlgtrucks.com>
Sent: Thursday, April 18, 2019 3:51:35 PM
Subject: RE: EPA Small Business Glider Builder Notification Letter Update

Please send a new letter. The one you have sent was previously stamped and then you made edits. If anyone else looks at this letter it could appear that someone made inappropriate changes to the letter after it had been stamped by EPA.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Webmail trucking1 <trucking1@ohiohills.com>
Sent: Thursday, April 18, 2019 3:34 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: EPA Small Business Glider Builder Notification Letter Update

From: "Healy, Stephen" <healy.stephen@epa.gov>
To: "tru235cks" <tru235cks@ohiohills.com>, "Webmail trucking1" <trucking1@ohiohills.com>
Cc: "lmonroe" <lmonroe@tlgtrucks.com>
Sent: Wednesday, April 17, 2019 3:00:15 PM
Subject: EPA Small Business Glider Builder Notification Letter Update

Steve,

I received your updated EPA small business glider builder notification letter for Lyle Monroe of Peterbilt of Cincinnati. So that we can document your change in claimed glider build volumes, please send a new notification letter with the updated build volumes for 2010 through 2014 and include as a separate page a list of all the VINs (both Peterbilt and Freightliner) and the year they were assembled.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
Healy.Stephen@epa.gov

RECEIVED

DATE: 4/24/19 Re: Model Year 2020

Request for Small Business Exemption as a Glider Vehicle Assembler

certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck
Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014		
2013	PBI / Ex. 4	PBI / Ex. 4
2012		
2011		
2010		

Based on the information provided above, our maximum annual exempt glider vehicle production for this model year is _____.

Employees

Year	Quantity
Current	40
Current – 1	
Current – 2	
Current – 3	

Ownership Structure

Owner	% Ownership
Huntley Trucking Co.	100

I attest that _____ is not affiliated with any other company.

Please confirm that this request is acceptable and that _____ has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.

Signature of Company Official

Title

Date

Address / E-mail / Phone if not printed on company letterhead:

Huntley Trucking Co.
23525 Pumpkin Ridge Rd.
New Plymouth, OH 45654

Message

Sent: 4/26/2019 2:44:54 PM
To: Jeff Kuzma [jkuzma@robertstrucking.com]
Subject: RE: Roberts Trucking --- Small Business Exemption as a Glider Vehicle Assembler

Jeff,
There is no further follow up by EPA at this time. The letter was not an application, only a notification of your Roberts Trucking intent to build exempt gliders under the EPA small business provisions

From: Jeff Kuzma <jkuzma@robertstrucking.com>
Sent: Monday, April 22, 2019 7:39 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Roberts Trucking --- Small Business Exemption as a Glider Vehicle Assembler

Good morning Stephen,

As a follow-up to our earlier E-mails and the application for Roberts Trucking requesting the Small Business Exemption as a Glider Vehicle Assembler, could you kindly let me know the status of the application and I will update those inquiring here at our Company. Thank you.

Regards,
Jeff

Jeff Kuzma
Controller
Roberts Trucking, Warehousing & Logistics
5501 Rt 89
North East, PA 16428
(814)347-1378 (O)
(814)392-3115 (C)
jkuzma@robertstrucking.com



From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Wednesday, April 03, 2019 9:28 AM
To: Jeff Kuzma <jkuzma@robertstrucking.com>
Subject: RE: Roberts Trucking --- Small Business Exemption as a Glider Vehicle Assembler

Jeff,

Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Jeff Kuzma <jkuzma@robertstrucking.com>
Sent: Thursday, March 28, 2019 10:21 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Roberts Trucking --- Small Business Exemption as a Glider Vehicle Assembler

Stephen,

Attached is the glider request listing Roberts Trucking as the assembler.

Sorry for any confusion.

Regards,
Jeff

Jeff Kuzma
Controller
Roberts Trucking, Warehousing & Logistics
5501 Rt 89
North East, PA 16428
(814)347-1378 (O)
(814)392-3115 (C)
jkuzma@robertstrucking.com



Message

Sent: 4/26/2019 2:29:11 PM
To: Melissa McCombs [mmccombs@huntertrucksales.com]
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,

The stamped copy of each letter is all you need from EPA. We do not issues exemption numbers or builder numbers. I think you will need to provide a copy of the appropriate

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Friday, April 26, 2019 10:05 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Mr. Healy,

Thank you! What is the next step? Do we wait for the exemption number from you via email or will we get a letter? Have a great weekend!

Thank you!
Melissa McCombs
mmccombs@huntertrucksales.com

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Friday, April 26, 2019 9:37 AM
To: Melissa McCombs
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,
Please find the attached EPA small business notification letters stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Wednesday, April 24, 2019 3:56 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

I completely understand you being busy Mr. Healy. Thank you for responding back to me the same day. I appreciate it very much!

I have attached the corrections for you. Hopefully, the third time is a charm. I appreciate your patience an your guidance.

Have a great day!

Thank you!

Melissa McCombs
mmccombs@huntertrucksales.com

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Wednesday, April 24, 2019 2:31 PM
To: Melissa McCombs
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,

Sorry , but I have been very busy lately. I do have an additional question/request. The letter for Hunter Truck Sales & Service lists the model for the request as 2013 and the Hunter Keystone Peterbilt letter list model year 2012. I would think these both should be for 2020 or 2021. Please correct as necessary.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Wednesday, April 24, 2019 10:20 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: FW: Glider Assembler Exemption Qty: 2 Requests

Good morning Mr. Healy,

I hope this finds you well. I have been asked to check on the status of our requests. I left you a voicemail as well. If you would please get back to me at your earliest convenience, I would appreciate it.

Thank you!

Thank you!

Melissa McCombs
mmccombs@huntertrucksales.com

From: Melissa McCombs [<mailto:mmccombs@huntertrucksales.com>]
Sent: Tuesday, April 16, 2019 11:42 AM
To: 'Healy, Stephen'
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Good morning Mr. Healy,

Attached are the revised letters for each company. If you would please take a look at them, I would appreciate it. I think we have everything covered this time. Please let me know if there is anything else you need from me. I appreciate your patience.

Melissa McCombs, MBA | Corporate Sales Associate
Hunter Truck | Corporate Office
480 Pittsburgh Road, Butler, PA 16002
W:724.586.5770 Ext 209 | F:724.586.5710
mmccombs@huntertrucksales.com
www.huntertruck.com
To Send Me Documents Securely, Please Use This Link

HUNTER TRUCK

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From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Friday, April 12, 2019 10:54 AM
To: Melissa McCombs
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,

Please send a one letter for each company. The employee count on each letter should reflect the total count for that company plus all affiliated companies as required by the Small Business regulations. You should also state that the glider volumes represent assembled gliders assuming that this is true.

Thank you,

Stephen Healy
 Mechanical Engineer
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
 734--214-4121

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Wednesday, April 10, 2019 2:30 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: 'Jack Lewis' <jlewis@huntertrucksales.com>
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Hello Mr. Healy,

I think I have a better understanding of the affiliations now. In response to your questions, please see the responses below highlighted in yellow. If you need more information or need me to combine everything into one letter, please let me know.

Thank you!

Melissa McCombs
mmccombs@huntertrucksales.com

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Wednesday, April 10, 2019 1:40 PM
To: Melissa McCombs
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,

I have a few questions and comments regarding these letters

- Do these two letters represent the entire glider production for Hunter affiliated companies?
 - Yes, because we have two separate EIN's I thought you would need separate letters. Added together, they represent the total number of assembled kits from all of our affiliates.
- The letters both state glider volumes in terms of kit sales. Do these numbers represent only kit sales or assembled gliders?
 - This represents assembled gliders only.
- Can you describe or explain all of the corporate affiliations that are part of or connected to Hunter Truck?
 - Hunter Keystone Peterbilt, L.P.
 - All affiliates listed on this letter are registered DBA's of Hunter Keystone Peterbilt, L.P.
 - Hunter Keystone Peterbilt, L.P. dba Hunter Truck
 - Hunter Keystone Peterbilt, L.P. dba Hunter Jersey Peterbilt
 - Hunter Keystone Peterbilt, L.P. dba Hunter Truck Sales & Service
 - Hunter Keystone Peterbilt, L.P. dba Hunter Pocono Peterbilt
 - Hunter Truck Sales & Service, Inc.
 - All affiliates listed on this letter are registered DBS's of Hunter Truck Sales & Service, Inc
 - Hunter Truck Sales & Service, Inc. dba Hunter Truck
- The employee counts must include the number of employees of that entity plus all affiliated company employees.
 - Added together, they represent the total number of employees from all of our affiliates

For your reference here is a link to the small business regulation sections for affiliation and calculating number of employees:

§121.103 How does SBA determine affiliation?

https://www.ecfr.gov/cgi-bin/text-idx?SID=4b1417a271a70f9d59933ebb4b7ce7d9&mc=true&node=se13.1.121_1103&rgn=div8

§121.106 How does SBA calculate number of employees?

https://www.ecfr.gov/cgi-bin/text-idx?SID=4b1417a271a70f9d59933ebb4b7ce7d9&mc=true&node=se13.1.121_1106&rgn=div8

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Melissa McCombs <mmccombs@huntertrucksales.com>

Sent: Thursday, April 04, 2019 8:45 AM

To: Healy, Stephen <healy.stephen@epa.gov>

Subject: Glider Assembler Exemption Qty: 2 Requests

Good morning, Mr. Healy.

Two of our companies would like to utilize the small business provision for glider kit assembler. I have attached separate letters for each company. If you need the email requests as two separate emails please let me know and I will resubmit the requests however you prefer to have them.

Once approved, please send the letters to my attention at the address listed below so I can forward the approval letters to our manufacturer. If you need anything else or have any questions, please do not hesitate to give Jeff Hunter or myself a call at the number below.

Thank you for your time and consideration.
Sincerely,

Melissa McCombs, MBA | Corporate Sales Associate
Hunter Truck | Corporate Office
480 Pittsburgh Road, Butler, PA 16002
W:724.586.5770 Ext 209 | F:724.586.5710
mmccombs@huntertrucksales.com
www.huntertruck.com
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Message

Sent: 4/22/2019 7:40:36 PM
To: Jason Vriens [Personal Address / Ex. 6]
Subject: RE: EPA Glider Builder Small Business Notification Letter

Jason,

The EPA small business exemption regulation qualifications require that your company had built gliders in the 2010 - 2014 timeframe. If your company did not build any gliders until 2015 or 2016 then your company does not qualify. Here is an excerpt from the regulation that discusses this requirement:

From: Jason Vriens [Personal Address / Ex. 6]
Sent: Monday, April 22, 2019 10:35 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: EPA Glider Builder Small Business Notification Letter

Good morning Stephen,

I found the vin number of the first glider that I built for Spade Construction. It is a 2016 Peterbilt 388

PBI / Ex. 4

I haven't built any gliders from 2010 to 2014. Does that change my ability to still buy a glider ?

Best regards, Jason Vriens

-----Original Message-----

From: Healy, Stephen <healy.stephen@epa.gov>
To: Jason Vriens [Personal Address / Ex. 6]
Cc: Cody Woods <cwoods@kwscsco.com>
Sent: Wed, Apr 17, 2019 1:53 pm
Subject: RE: EPA Glider Builder Small Business Notification Letter

Jason,

Can you please send in a revised letter that states the number of gliders Vriens Truck Parts built or sold each year 2010 through 2014. Below you will find the information EPA is looking for in your notification letter:

EPA regulations allow small businesses to build gliders using older (pre-2010) engines under certain conditions and restrictions. First, the company must qualify as a small business according to the applicable regulations and they must have built gliders in the time period of 2010 through 2014 and sold at least one to another company or person in 2014. You would be limited in the number of gliders you can build per year to the maximum number you built in any single year 2010 through 2014. The regulations (40 CFR 1037.150(c)) require a small business to notify EPA that they intend to utilize the small business provisions. We ask small businesses to send us a letter of notification annually that includes a number of bits of information justifying that they qualify for the small business allowances. A short letter that contains the following information is all that is needed:

- A statement that your company meets the small business criteria listed in 40 CFR 1037.150 (c) and the small business criteria specified in 13 CFR 121.201. (Assuming this is true.) Currently the size threshold for Heavy Duty Truck Manufacturers is 1500 employees – this is what is listed for NAICS Code 336120. The total number of employees includes that of the company and its affiliates (see 13 CFR 121 link below).
- A statement that your company is solely owned by (owner's name) and if there are multiple owners state each owner and the percentage ownership for each. Also describe any affiliations with other companies or state that there are no affiliations – assuming that is true.

- State the number of employees for each of the past 3 years.
- State the number of gliders that your company has built each year 2010 through 2014.
- State the number of gliders sold to outside parties in 2014.
- Signed by the owner(s) or company official.

You should scan the signed letter and send the PDF file to me. I will then review it, stamp it and return it to you. You can use the wording I used above (just substitute in the actual company name) if that helps. You can then show the EPA reviewed letter to the truck manufacturer as proof you have notified the EPA.

For your reference here are a number links to regulations that are applicable:

40 CFR 1037.150 Interim Provisions – this covers the small business exclusion requirements (1037.150(c)) and the new interim glider requirements (1037.150(t)):

http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=7b7047abdd965bd6a1b219b7b036fad9&mc=true&n=pt40.36.1037&r=PART&ty=HTML#se40.36.1037_1150

40 CFR 1037.635 – Glider kits and glider vehicles:

http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=7b7047abdd965bd6a1b219b7b036fad9&mc=true&n=pt40.36.1037&r=PART&ty=HTML#se40.36.1037_1635

13 CFR Part 121

Small business general provisions: describes how to determine affiliations and determine employee count:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=266ad73e48d34146461d5b3cc2a0d1ab&mc=true&node=sg13.1.121.a.sg0&rqn=div7>

Size standards for small business:

http://www.ecfr.gov/cgi-bin/text-idx?SID=266ad73e48d34146461d5b3cc2a0d1ab&mc=true&node=se13.1.121_1201&rqn=div8

Please give me a call if you have further questions.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Jason Vriens Personal Address / Ex. 6
Sent: Tuesday, April 16, 2019 8:32 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: EPA Glider Builder Small Business Notification Letter

Vriens Truck parts HAS NOT sent a vehicle glider notification to the EPA prior to working on this current glider deal .

PBI / Ex. 4

Thanks, Jason Vriens

Sent from my iPhone

On Apr 16, 2019, at 12:14 PM, Healy, Stephen <healy.stephen@epa.gov> wrote:

I received your EPA small business glider builder notification letter from Cody Woods from Kenworth Sales Company. Has Vriens Truck Parts previously sent a small business glider builder notification letter to the EPA? Did Vriens Truck Parts build gliders in the 2010 through 2014 time frame?

Thank You,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

Message

From: **Personal Address / Ex. 6**
Sent: 10/16/2017 11:31:34 AM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption
Attachments: 2017 10 13 Fitzgerald Glider Kits L.L.C. Model Year 2018 Request for Small Business Exemption.pdf

Mr. Healy:

Attached please find Fitzgerald Glider Kits L.L.C.'s request for the small business exemption under 40 C.F.R. 1037.150(t) for model year 2018.

Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Glider Kits**



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6



Tommy A. Fitzgerald

Personal Address / Ex. 6

Mr. Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
healy.stephen@epa.gov

**RE: Model Year 2018 Request for Small Business Exemption as a Glider Vehicle Assembler
Pursuant to 40 C.F.R. § 1037.150(c) and (t)**

Pursuant to 40 C.F.R. § 1037.150, Fitzgerald Glider Kits L.L.C. ("Fitzgerald") hereby gives notice of its plans to use the small business exemption under 40 C.F.R. § 1037.150(t) for model year 2018.

Fitzgerald certifies that it qualifies as a small business under 13 C.F.R. § 121.201 (NAICS code 336120, Heavy Duty Truck Manufacturing, Subsector 336—Transportation Equipment Manufacturing) because Fitzgerald, including its related entities, has fewer than 1,500 employees. Fitzgerald's annual U.S.-directed production volume (and sales, where different) of glider vehicles for calendar years 2010 through 2014 is set forth below.

Fitzgerald U.S.-Directed Production of Glider Vehicles				
Year	Volume		Sales (if different)	
2010	PBI / Ex. 4		PBI / Ex. 4	
2011				
2012				
2013				
2014				

Based on the information provided above, Fitzgerald's maximum annual exempt glider vehicle production for model year 2018 is **PBI / Ex. 4**.

Please confirm that this request is acceptable and that Fitzgerald Glider Kits L.L.C. has met all of the requirements for the small business exemption as a glider vehicle assembler pursuant to 40 C.F.R. § 1037.150(t)(1).

Thank you in advance for your assistance.

DATED this 13th day of October, 2017.

Respectfully submitted,

Tommy A. Fitzgerald
Member

Message

From: Zack Atkins [Personal Address / Ex. 6]
Sent: 10/20/2017 2:53:52 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption
Attachments: 2017 10 20 Fitzgerald Glider Kits L.L.C. Model Year 2019_Calendar Year 2018 Request for Small Business Exemption.pdf

Mr. Healy:

Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t). This request supersedes our request submitted on October 16, 2017.

I can confirm that our request is for the model year 2019. Thank you for spotting the issue in our prior request and raising the point.

Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Glider Kits**



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6



Tommy A. Fitzgerald

Personal Address / Ex. 6

Mr. Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
healy.stephen@epa.gov

RE: Model Year 2019/Calendar Year 2018 Request for Small Business Exemption as a Glider Vehicle Assembler Pursuant to 40 C.F.R. § 1037.150(c) and (t)

Pursuant to 40 C.F.R. § 1037.150, Fitzgerald Glider Kits L.L.C. ("Fitzgerald") hereby gives notice of its plans to use the small business exemption under 40 C.F.R. § 1037.150(t) for model year 2019/calendar year 2018. Please note that this request supersedes our prior request dated October 13, 2017.

Fitzgerald certifies that it qualifies as a small business under 13 C.F.R. § 121.201 (NAICS code 336120, Heavy Duty Truck Manufacturing, Subsector 336--Transportation Equipment Manufacturing) because Fitzgerald, including its related entities, has fewer than 1,500 employees. Fitzgerald's employment figures for 2014, 2015 and 2016 (as of December 31) and 2017 (as of the date of this request) are set forth below.

Fitzgerald Employees	
Year	Employees
2014	206
2015	250
2016	237
2017	295

Fitzgerald's annual U.S.-directed production volume and sales of glider vehicles for calendar years 2010 through 2014 are set forth below.

Fitzgerald U.S.-Directed Production of Glider Vehicles				
Year	Volume		Sales	
2010	PBI / Ex. 4			PBI / Ex. 4
2011				
2012				
2013				
2014				

Based on the information provided above, Fitzgerald's maximum annual exempt glider vehicle production for model year 2019/calendar year 2018 is **PBI / Ex. 4**

Please confirm that this request is acceptable and that Fitzgerald Glider Kits L.L.C. has met all of the requirements for the small business exemption as a glider vehicle assembler pursuant to 40 C.F.R. § 1037.150(i)(1).

Thank you in advance for your assistance.

DATED this 20th day of October, 2017.

Respectfully submitted,



Tommy A. Fitzgerald
Member

Message

From: Zack Atkins **Personal Address / Ex. 6**
Sent: 10/16/2017 7:10:47 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Thanks. I will make sure that it is.

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Glider Kits**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen [mailto:healy.stephen@epa.gov]
Sent: Monday, October 16, 2017 2:08 PM
To: Zack Atkins **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Zack,

It would be best if the employment information was included in the body of the letter, so that is clearly signed off by the company principle.

Thank you,

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Zack Atkins **Personal Address / Ex. 6**

Sent: Monday, October 16, 2017 2:56 PM

To: Healy, Stephen <healy.stephen@epa.gov>

Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Thanks for the quick response, Stephen. I will track that information down and speak to my colleagues about your model year 2018/2019 question. Would you like me to reference my original request in the forthcoming, revised request?

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Glider Kits**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen [mailto:healy.stephen@epa.gov]
Sent: Monday, October 16, 2017 1:53 PM
To: Zack Atkins **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Zack,

Your small business notification letter looks fine, but I one additional information request I would like you to add to your letter. Could you please add to the letter the total number of employees employed by Fitzgerald Glider Kits LLC and Fitzgerald's affiliated companies each year for the past 3 years. This is information we ask of all small businesses pursuing the small business exclusion allowances of 40 CFR 1037.150(c) and 40 CFR 1037.150(t). The small business regulations explain how to determine affiliation at 13 CFR 121.130 – here is a link to this regulation section:

[https://www.ecfr.gov/cgi-bin/text-](https://www.ecfr.gov/cgi-bin/text-idx?SID=727122ef5c336709785c257850ffe92&mc=true&node=se13.1.121_1103&rgn=div8)

[idx?SID=727122ef5c336709785c257850ffe92&mc=true&node=se13.1.121_1103&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=727122ef5c336709785c257850ffe92&mc=true&node=se13.1.121_1103&rgn=div8)

The small business regulations explain how to calculate the number of employees at 13 CFR 121.106 – here is link to this regulation section:

[https://www.ecfr.gov/cgi-bin/text-](https://www.ecfr.gov/cgi-bin/text-idx?SID=727122ef5c336709785c257850ffe92&mc=true&node=se13.1.121_1106&rgn=div8)

[idx?SID=727122ef5c336709785c257850ffe92&mc=true&node=se13.1.121_1106&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=727122ef5c336709785c257850ffe92&mc=true&node=se13.1.121_1106&rgn=div8)

One other item. Your request is for 2018 model year. I have noticed many requests are coming in for 2019 model year at this time. I just wanted to confirm that your request is for 2018.

Once you update the employment totals, reviewing your notification should not take long.

Please contact me if you have any questions.

Thank you,

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Zack Atkins **Personal Address / Ex. 6**

Sent: Monday, October 16, 2017 7:32 AM

To: Healy, Stephen <healy.stephen@epa.gov>

Subject: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Mr. Healy:

Attached please find Fitzgerald Glider Kits L.L.C.'s request for the small business exemption under 40 C.F.R. 1037.150(t) for model year 2018.

Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Glider Kits**



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 10/16/2017 7:08:25 PM
To: 'Zack Atkins' **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Zack,
 It would be best if the employment information was included in the body of the letter, so that is clearly signed off by the company principle.

Thank you,

Stephen Healy
 Mechanical Engineer
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
 734--214-4121

From: Zack Atkins [mailto:**Personal Address / Ex. 6**]
Sent: Monday, October 16, 2017 2:56 PM
To: Healy, Stephen
Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Thanks for the quick response, Stephen. I will track that information down and speak to my colleagues about your model year 2018/2019 question. Would you like me to reference my original request in the forthcoming, revised request?

Zachary T. Atkins
 Deputy General Counsel | **Fitzgerald Glider Kits**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen [mailto:healy.stephen@epa.gov]
Sent: Monday, October 16, 2017 1:53 PM
To: Zack Atkins **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

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https://www.ecfr.gov/cgi-bin/text-idx?SID=727122ef5c336709785c257850fffe92&mc=true&node=se13.1.121_1106&rgn=div8

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Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

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Subject: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

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Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Zack Atkins **Personal Address / Ex. 6**
Sent: 10/16/2017 6:56:07 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Thanks for the quick response, Stephen. I will track that information down and speak to my colleagues about your model year 2018/2019 question. Would you like me to reference my original request in the forthcoming, revised request?

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Glider Kits**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen [mailto:healy.stephen@epa.gov]
Sent: Monday, October 16, 2017 1:53 PM
To: Zack Atkins **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Zack,
 Your small business notification letter looks fine, but I one additional information request I would like you to add to your letter. Could you please add to the letter the total number of employees employed by Fitzgerald Glider Kits LLC and Fitzgerald's affiliated companies each year for the past 3 years. This is information we ask of all small businesses pursuing the small business exclusion allowances of 40 CFR 1037.150(c) and 40 CFR 1037.150(t). The small business regulations explain how to determine affiliation at 13 CFR 121.130 – here is a link to this regulation section:

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Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Monday, October 16, 2017 7:32 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Mr. Healy:

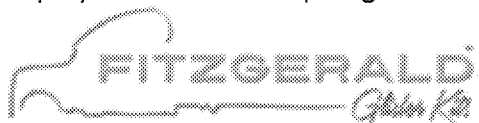
Attached please find Fitzgerald Glider Kits L.L.C.'s request for the small business exemption under 40 C.F.R. 1037.150(t) for model year 2018.

Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | Fitzgerald Glider Kits



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 10/16/2017 6:52:59 PM
To: 'Zack Atkins' [Personal Address / Ex. 6]
Subject: RE: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Zack,
 Your small business notification letter looks fine, but I one additional information request I would like you to add to your letter. Could you please add to the letter the total number of employees employed by Fitzgerald Glider Kits LLC and Fitzgerald's affiliated companies each year for the past 3 years. This is information we ask of all small businesses pursuing the small business exclusion allowances of 40 CFR 1037.150(c) and 40 CFR 1037.150(t). The small business regulations explain how to determine affiliation at 13 CFR 121.130 – here is a link to this regulation section:

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https://www.ecfr.gov/cgi-bin/text-idx?SID=727122ef5c336709785c257850ffe92&mc=true&node=se13.1.121_1106&rgn=div8

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Please contact me if you have any questions.

Thank you,

Stephen Healy
 Mechanical Engineer
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
 734--214-4121

From: Zack Atkins [Personal Address / Ex. 6]
Sent: Monday, October 16, 2017 7:32 AM
To: Healy, Stephen
Subject: Fitzgerald Glider Kits L.L.C. -- Model Year 2018 Request for Small Business Exemption

Mr. Healy:

Attached please find Fitzgerald Glider Kits L.L.C.'s request for the small business exemption under 40 C.F.R. 1037.150(t) for model year 2018.

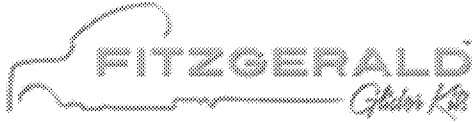
Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | Fitzgerald Glider Kits



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 10/24/2017 8:42:34 PM
To: 'Zack Atkins' [Personal Address / Ex. 6]
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption
Attachments: 2019 Fitzgerald Glider Kits LLC Small Business Notification EPA Reviewed.pdf

Please find the attached EPA small business notification for stamped "Reviewed and Accepted".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Zack Atkins [Personal Address / Ex. 6]
Sent: Friday, October 20, 2017 10:54 AM
To: Healy, Stephen
Subject: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Mr. Healy:

Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t). This request supersedes our request submitted on October 16, 2017.

I can confirm that our request is for the model year 2019. Thank you for spotting the issue in our prior request and raising the point.

Please let me know if you have any questions.

Thanks,

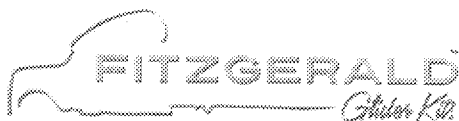
Zack

Zachary T. Atkins
Deputy General Counsel | Fitzgerald Glider Kits



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6


Timothy A. Fitzgerald
Personal Address / Ex. 6

Mr. Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
healy.stephen@epa.gov

Reviewed and Accepted
Date *10/23/17* **EPA Rep**

RE: Model Year 2019/Calendar Year 2018 Request for Small Business Exemption as a Glider Vehicle Assembler Pursuant to 40 C.F.R. § 1037.150(c) and (t)

Pursuant to 40 C.F.R. § 1037.150, Fitzgerald Glider Kits L.L.C. ("Fitzgerald") hereby gives notice of its plans to use the small business exemption under 40 C.F.R. § 1037.150(t) for model year 2019/calendar year 2018. Please note that this request supersedes our prior request dated October 13, 2017.

Fitzgerald certifies that it qualifies as a small business under 13 C.F.R. § 121.201 (NAICS code 336120, Heavy Duty Truck Manufacturing, Subsector 336--Transportation Equipment Manufacturing) because Fitzgerald, including its related entities, has fewer than 1,500 employees. Fitzgerald's employment figures for 2014, 2015 and 2016 (as of December 31) and 2017 (as of the date of this request) are set forth below.

Fitzgerald Employees	
Year	Employees
2014	206
2015	250
2016	237
2017	295

Fitzgerald's annual U.S.-directed production volume and sales of glider vehicles for calendar years 2010 through 2014 are set forth below.

Fitzgerald U.S.-Directed Production of Glider Vehicles			
Year	Volume		Sales
2010	PBI / Ex. 4		PBI / Ex. 4
2011			
2012			
2013			
2014			

Based on the information provided above, Fitzgerald's maximum annual exempt glider vehicle production for model year 2019/calendar year 2018 is **PBI / Ex. 4**

Please confirm that this request is acceptable and that Fitzgerald Glider Kits L.L.C. has met all of the requirements for the small business exemption as a glider vehicle assembler pursuant to 40 C.F.R. § 1037.150(t)(1).

Thank you in advance for your assistance.

DATED this 20th day of October, 2017.

Respectfully submitted,


Tommy A. Fitzgerald
Member

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 7/31/2018 3:27:27 PM
To: 'Zack Atkins' [Personal Address / Ex. 6]
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Just a new stamp.

Steve

From: Zack Atkins [Personal Address / Ex. 6]
Sent: Tuesday, July 31, 2018 11:26 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Thank you. I noticed that last year's request was stamped "Reviewed and Accepted," whereas this year's request is stamped "Received." Is there a difference from EPA's perspective?

Thanks for your help.

Zachary T. Atkins
 Deputy General Counsel | Fitzgerald Glider Kits
 575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Tuesday, July 31, 2018 10:21 AM
To: Zack Atkins [Personal Address / Ex. 6]
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Zack,
 Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
 Mechanical Engineer
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
 734--214-4121

From: Zack Atkins [Personal Address / Ex. 6]
Sent: Thursday, July 26, 2018 4:13 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

I hope you are well. Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t) for the model year 2020/calendar year 2019.

From what I understand, build schedules are filling up quickly, so please let me know at your earliest convenience whether the attached request is acceptable.

Thank you in advance for your help.

Zack

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Tuesday, October 24, 2017 3:46 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Thank you.

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Tuesday, October 24, 2017 3:43 PM
To: Zack Atkins **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Please find the attached EPA small business notification for stamped "Reviewed and Accepted".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Friday, October 20, 2017 10:54 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Mr. Healy:

Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t). This request supersedes our request submitted on October 16, 2017.

I can confirm that our request is for the model year 2019. Thank you for spotting the issue in our prior request and raising the point.

Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | Fitzgerald Glider Kits

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Zack Atkins **Personal Address / Ex. 6**
Sent: 7/31/2018 3:25:43 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption
Attachments: ATT00001.txt; 2020 Fitzgerald Glider Kits LLC Small Business Notification EPA Reviewed 7-31-18.pdf; 2017 10 24 Model Year 2019 Fitzgerald Glider Kits LLC Small Business Notification EPA Reviewed.pdf

Thank you. I noticed that last year's request was stamped "Reviewed and Accepted," whereas this year's request is stamped "Received." Is there a difference from EPA's perspective?

Thanks for your help.

Zachary T. Atkins

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Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

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Sent: Friday, October 20, 2017 10:54 AM

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Subject: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

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Thanks,

Zack
Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6



Tommy A. Fitzgerald

Personal Address / Ex. 6

VIA ELECTRONIC MAIL

Mr. Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
healy.stephen@epa.gov

RECEIVED

DATE: 7/31/18

Re: Model Year 2020/Calendar Year 2019 Request for Small Business Exemption as a Glider Vehicle Assembler Pursuant to 40 C.F.R. § 1037.150(c) and (t)

Pursuant to 40 C.F.R. § 1037.150, Fitzgerald Glider Kits L.L.C. ("Fitzgerald") hereby gives notice of its plans to use the small business exemption under 40 C.F.R. § 1037.150(t) for model year 2020/calendar year 2019.

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2012			
2013			
2014			

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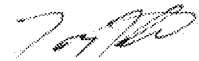
Mr. Stephen Healy
Page 2

Please confirm that this request is acceptable and that Fitzgerald Glider Kits L.L.C. has met all of the requirements for the small business exemption as a glider vehicle assembler pursuant to 40 C.F.R. § 1037.150(i)(1).

Thank you in advance for your assistance.

DATED this 26th day of July, 2018.

Respectfully submitted,



Tommy A. Fitzgerald
Member

Message

Sent: 3/18/2019 6:38:55 PM
To: Casey Capozzi [caseyc.utigeneral@gmail.com]
Subject: RE: Glider Assembler Certification

Casey,

I just received your updated glider builder notification letter from Tom Huff of PACCAR. How many gliders did you build in 2017 and how many in 2018? The reason I'm asking is that the EPA regulations have a requirement that you report annually how many gliders you built under this exemption.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Casey Capozzi <caseyc.utigeneral@gmail.com>
Sent: Monday, March 18, 2019 2:30 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: Glider Assembler Certification

mandp@hvc.rr.com

On Mon, Mar 18, 2019 at 2:28 PM Healy, Stephen <healy.stephen@epa.gov> wrote:

Casey,

Can you please give the email contact for M Falanga Trucking. It is not legible on the form.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Casey Capozzi <caseyc.uticageneral@gmail.com>
Sent: Monday, March 18, 2019 1:01 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Fwd: Glider Assembler Certification

Good Morning Stephen,

I received a glider assembler packet from a local company and I am looking for your signature on the small business exemption certificate. Thanks an let me know if you have any questions you need answers to.

--

Casey Capozzi

Truck Sales

Utica General Truck

21 Pomarico Dr

Newburgh, NY 12550

O: 845-245-4042

C: 845-728-3006

email: caseyc.uticageneral@gmail.com

--

Casey Capozzi

Truck Sales

Utica General Truck

21 Pomarico Dr

Newburgh, NY 12550

O: 845-245-4042

C: 845-728-3006

email: caseyc.uticageneral@gmail.com

Message

Sent: 4/18/2019 5:13:53 PM
To: Andyk26; Personal Address / Ex. 6
Subject: EPA Small Business Glider Builder Notification Letter

Joe,
I received you EPA small business glider builder notification letter from Van Bogan at Peach State Freightliner. I have a question for you: Did Andy Knowles Trucking sell a glider to another company in 2014?

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

Message

Sent: 4/18/2019 11:07:53 AM
To: rmloomis@triton.net
Subject: RE: EPA Glider Builder Notification Letter

Rob,
Sorry I meant 2018 not 2019

-----Original Message-----

From: rmloomis@triton.net <rmloomis@triton.net>
Sent: Wednesday, April 17, 2019 7:30 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: EPA Glider Builder Notification Letter

Stephen,

Thank You.

PBI / Ex. 4

Rob

On 2019-04-17 14:31, Healy, Stephen wrote:

> Rob,
> I just sent your stamped notification letter to you and Mary Ann Hogan
> at Michigan Kenworth. I do have one more question for you though, how
> many gliders did you build in 2019?

>
> Thank you,

>
> Stephen Healy
> Mechanical Engineer
> EPA OTAQ Compliance Division
> Diesel Engine Compliance Center
> 734--214-4121

> -----Original Message-----

> From: rmloomis@triton.net <rmloomis@triton.net>
> Sent: Tuesday, April 16, 2019 6:43 PM
> To: Healy, Stephen <healy.stephen@epa.gov>
> Subject: Re: EPA Glider Builder Notification Letter

> That's correct.

> On 2019-04-16 15:00, Healy, Stephen wrote:

>> Rob,
>> Based on this information it appears you
>> **PBI / Ex. 4** Is this correct?

PBI / Ex. 4

>> Thank you,

>>
>> Stephen Healy
>> Mechanical Engineer
>> EPA OTAQ Compliance Division
>> Diesel Engine Compliance Center
>> 734--214-4121

>> -----Original Message-----

>> From: rmloomis@triton.net <rmloomis@triton.net>
>> Sent: Wednesday, April 10, 2019 10:16 PM
>> To: Healy, Stephen <healy.stephen@epa.gov>
>> Subject: Re: EPA Glider Builder Notification Letter

>> Stephen,

>> I'm sorry about this confusion. I'm attaching the
>> orgins and a new form. I believe the new model year will be a 2020.
>> The **PBI / Ex. 4**

PBI / Ex. 4

>>
>> Thank You,
>>
>> Rob Loomis
>>
>> On 2019-04-09 15:18, Healy, Stephen wrote:
>>> Rob,
>>>
>>> I received a 2020 model year small business glider builder
>>> notification letter from Mary Ann Hogan at Michigan Kenworth. The
>>> information in this new letter does not match the information in
>>> your previous notification. Please correct the discrepancy.
>>>
>>> Thank you,
>>>
>>> Stephen Healy
>>>
>>> Mechanical Engineer
>>>
>>> EPA OTAQ Compliance Division
>>>
>>> Diesel Engine Compliance Center
>>>
>>> 734--214-4121

Message

From: Zack Atkins; **Personal Address / Ex. 6**
Sent: 7/26/2018 8:12:38 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption
Attachments: Fitzgerald Glider Kits -- MY2020_CY2019 Exemption Request.pdf

Good Afternoon, Mr. Healy:

I hope you are well. Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t) for the model year 2020/calendar year 2019.

From what I understand, build schedules are filling up quickly, so please let me know at your earliest convenience whether the attached request is acceptable.

Thank you in advance for your help.

Zack

Zachary T. Atkins
 Deputy General Counsel | **Fitzgerald Glider Kits**
 575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Zack Atkins; **Personal Address / Ex. 6**
Sent: Tuesday, October 24, 2017 3:46 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Thank you.

Zachary T. Atkins
 Deputy General Counsel | **Fitzgerald Glider Kits**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Tuesday, October 24, 2017 3:43 PM
To: Zack Atkins; **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Please find the attached EPA small business notification for stamped "Reviewed and Accepted".

Stephen Healy
 Mechanical Engineer
 EPA OTAQ Compliance Division

Diesel Engine Compliance Center
734--214-4121

From: Zack Atkins

Personal Address / Ex. 6

Sent: Friday, October 20, 2017 10:54 AM

To: Healy, Stephen <healy.stephen@epa.gov>

Subject: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Mr. Healy:

Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t). This request supersedes our request submitted on October 16, 2017.

I can confirm that our request is for the model year 2019. Thank you for spotting the issue in our prior request and raising the point.

Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6



Tommy A. Fitzgerald

Personal Address / Ex. 6

VIA ELECTRONIC MAIL

Mr. Stephen Healy
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
healy.stephen@epa.gov

**Re: Model Year 2020/Calendar Year 2019 Request for Small Business Exemption as a
 Glider Vehicle Assembler Pursuant to 40 C.F.R. § 1037.150(c) and (t)**

Pursuant to 40 C.F.R. § 1037.150, Fitzgerald Glider Kits L.L.C. ("Fitzgerald") hereby gives notice of its plans to use the small business exemption under 40 C.F.R. § 1037.150(t) for model year 2020/calendar year 2019.

Fitzgerald certifies that it qualifies as a small business under 13 C.F.R. § 121.201 (NAICS code 336120, Heavy Duty Truck Manufacturing, Subsector 336–Transportation Equipment Manufacturing) because Fitzgerald, including its related entities, has fewer than 1,500 employees. Fitzgerald's employment figures for 2015, 2016 and 2017 (as of December 31) and 2018 (as of the date of this request) are set forth below.

Fitzgerald Employees	
Year	Employees
2015	250
2016	237
2017	295
2018	202

Fitzgerald's annual U.S.-directed production volume and sales of glider vehicles for calendar years 2010 through 2014 are set forth below

Fitzgerald U.S.-Directed Production of Glider Vehicles			
Year	Volume		Sales
2010	PBI / Ex. 4		PBI / Ex. 4
2011			
2012			
2013			
2014			

Based on the information provided above, Fitzgerald's maximum annual exempt glider vehicle production for model year 2020/calendar year 2019 is

PBI / Ex. 4

Mr. Stephen Healy
Page 2

Please confirm that this request is acceptable and that Fitzgerald Glider Kits L.L.C. has met all of the requirements for the small business exemption as a glider vehicle assembler pursuant to 40 C.F.R. § 1037.150(t)(1).

Thank you in advance for your assistance.

DATED this 26th day of July, 2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tommy A. Fitzgerald', is positioned above the printed name.

Tommy A. Fitzgerald
Member

Message

From: Zack Atkins **Personal Address / Ex. 6**
Sent: 7/31/2018 3:25:43 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption
Attachments: ATT00001.txt; 2020 Fitzgerald Glider Kits LLC Small Business Notification EPA Reviewed 7-31-18.pdf; 2017 10 24 Model Year 2019 Fitzgerald Glider Kits LLC Small Business Notification EPA Reviewed.pdf

Thank you. I noticed that last year's request was stamped "Reviewed and Accepted," whereas this year's request is stamped "Received." Is there a difference from EPA's perspective?

Thanks for your help.

Zachary T. Atkins
 Deputy General Counsel | **Fitzgerald Glider Kits**
 575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Tuesday, July 31, 2018 10:21 AM
To: Zack Atkins **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Zack,
 Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
 Mechanical Engineer
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
 734--214-4121

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Thursday, July 26, 2018 4:13 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

I hope you are well. Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t) for the model year 2020/calendar year 2019.

From what I understand, build schedules are filling up quickly, so please let me know at your earliest convenience whether the attached request is acceptable.

Thank you in advance for your help.

Zack

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Tuesday, October 24, 2017 3:46 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Thank you.

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Tuesday, October 24, 2017 3:43 PM
To: Zack Atkins **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Please find the attached EPA small business notification for stamped "Reviewed and Accepted".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Friday, October 20, 2017 10:54 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Mr. Healy:

Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t). This request supersedes our request submitted on October 16, 2017.

I can confirm that our request is for the model year 2019. Thank you for spotting the issue in our prior request and raising the point.

Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | Fitzgerald Glider Kits



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Stephen Healy
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
Healy.Stephen@epa.gov

Re: Model Year 2020/Calendar Year 2019 Request for Small Business Exemption as a Glider Vehicle Assembler Pursuant to 40 C.F.R. § 1037.150(c) and (t)

Pursuant to 40 C.F.R. § 1037.150, Thompson Machinery Commerce Corporation ("Thompson") hereby gives notice of its plans to utilize the small business exemption under 40 C.F.R. § 1037.150(t) for model year 2020/calendar year 2019.

Thompson certifies that it qualifies as a small business per 13 C.F.R. § 121.201 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing because Thompson, including its related entities, has fewer than 1,500 employees. Thompson employment figures for the years ended December 31, 2015, 2016 and 2017 along with 2018 (as of the date of this letter) are set forth below.

Employees

Year	Quantity
2015	525
2016	550
2017	646
2018	658

Thompson's annual U.S.-directed production volume and sales of glider vehicles for calendar years 2010 through 2014 are set forth below.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	PBI / Ex. 4
2013		
2012		
2011		
2010		

Based on the information provided above, our maximum annual exempt glider vehicle production for this model year 2020/calendar year 2019 is:

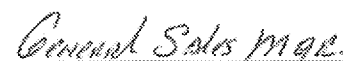
PBI / Ex. 4

Please confirm that this request is acceptable and that Thompson has met all the requirements for the small business exemption as a glider vehicle assembler pursuant to 40 C.F.R. § 1037.150(t)(1).

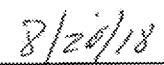
Thank you for your assistance.



Signature of Company Official



Title



Date

Allan.wainwright@tmcat.com

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 7/31/2018 3:27:27 PM
To: Zack Atkins; **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Just a new stamp.

Steve

From: Zack Atkins; **Personal Address / Ex. 6**
Sent: Tuesday, July 31, 2018 11:26 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Thank you. I noticed that last year's request was stamped "Reviewed and Accepted," whereas this year's request is stamped "Received." Is there a difference from EPA's perspective?

Thanks for your help.

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Tuesday, July 31, 2018 10:21 AM
To: Zack Atkins; **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Zack,
Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Zack Atkins; **Personal Address / Ex. 6**
Sent: Thursday, July 26, 2018 4:13 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Fitzgerald Glider Kits L.L.C. Model Year 2020/Calendar Year 2019 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

I hope you are well. Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t) for the model year 2020/calendar year 2019.

From what I understand, build schedules are filling up quickly, so please let me know at your earliest convenience whether the attached request is acceptable.

Thank you in advance for your help.

Zack

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Tuesday, October 24, 2017 3:46 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Thank you.

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Glider Kits**
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Tuesday, October 24, 2017 3:43 PM
To: Zack Atkins **Personal Address / Ex. 6**
Subject: RE: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Please find the attached EPA small business notification for stamped "Reviewed and Accepted".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Friday, October 20, 2017 10:54 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Fitzgerald Glider Kits L.L.C. Model Year 2019/Calendar Year 2018 Request for Small Business Exemption

Mr. Healy:

Attached please find Fitzgerald Glider Kits L.L.C.'s request for small business exemption under 40 C.F.R. 1037.150(t). This request supersedes our request submitted on October 16, 2017.

I can confirm that our request is for the model year 2019. Thank you for spotting the issue in our prior request and raising the point.

Please let me know if you have any questions.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | Fitzgerald Glider Kits

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Zack Atkins [Personal Address / Ex. 6]
Sent: 8/28/2018 6:24:46 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
CC: allan.waincott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption
Attachments: ATT00001.txt

Stephen:

We will take care of it and send you a new letter.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | Fitzgerald Peterbilt
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Monday, August 27, 2018 2:29 PM
To: Zack Atkins [Personal Address / Ex. 6]
Cc: allan.waincott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zach,
Can you please have this letter placed on Thompson Truck Centers letterhead or show the company name, address and phone at the top of the letter?

Thank you,

From: Zack Atkins [Personal Address / Ex. 6]
Sent: Friday, August 24, 2018 5:24 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: allan.waincott@tmcatt.com
Subject: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

For MY2020, Thompson Machinery Commerce Corporation expects to order glider kits through our Fitzgerald Peterbilt dealerships. Mr. Waincott, Thompson's general sales manager, is copied on this e-mail.

Attached please find Thompson's MY2020 request for small business exemption as a glider vehicle assembler under 40 C.F.R. 1037.150. Once you have reviewed Thompson's request, please e-mail a stamped copy to the two of us so that we can place Thompson's orders.

Appreciate your help.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Peterbilt**



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Zack Atkins [**Personal Address / Ex. 6**]
Sent: 8/29/2018 11:58:46 AM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
CC: allan.waincott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption
Attachments: ATT00001.txt; doc03664220180828160213.pdf

Mr. Healy:

Per your request, attached is a copy of Thompson's MY 2020 request on letterhead. Please note that the employment figure listed for 2018 in the first table has been corrected. The previous request showed 658 employees for 2018, whereas this new request shows 619 employees. If you have any questions about the change, Mr. Waincott can address it.

Thanks,

Zack

Zachary T. Atkins
 Deputy General Counsel | **Fitzgerald Peterbilt**
 575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Monday, August 27, 2018 2:29 PM
To: Zack Atkins [**Personal Address / Ex. 6**]
Cc: allan.waincott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zach,
 Can you please have this letter placed on Thompson Truck Centers letterhead or show the company name, address and phone at the top of the letter?

Thank you,

From: Zack Atkins [**Personal Address / Ex. 6**]
Sent: Friday, August 24, 2018 5:24 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: allan.waincott@tmcatt.com
Subject: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

For MY2020, Thompson Machinery Commerce Corporation expects to order glider kits through our Fitzgerald Peterbilt dealerships. Mr. Waincott, Thompson's general sales manager, is copied on this e-mail.

Attached please find Thompson's MY2020 request for small business exemption as a glider vehicle assembler under 40 C.F.R. 1037.150. Once you have reviewed Thompson's request, please e-mail a stamped copy to the two of us so that we can place Thompson's orders.

Appreciate your help.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Peterbilt**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6



1255 Bridgestone Blvd
LaVergne, Tn 37086
615-259-5865

August 28, 2018

Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
Healy.Stephen@epa.gov

Re: Model Year 2020/Calendar Year 2019 Request for Small Business Exemption as a Glider Vehicle Assembler Pursuant to 40 C.F.R. § 1037.150(c) and (t)

Pursuant to C.F.R. § 1037.150, Thompson Machinery Commerce Corporation ("Thompson") hereby gives notice of its plans to utilize the small business exemption under 40 C.F.R. § 1037.150(t) for model year 2019/calendar year 2018.

Thompson certifies that it qualifies as a small business per 13 C.F.R. § 121.201 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing because Thompson, including its related entities, has fewer than 1,500 employees. Thompson employment figures for the years ended December 31, 2014, 2015 and 2016 along with 2017 (as of the date of this letter) are set forth below.

Employees

Year	Quantity
2014	458
2015	525
2016	550
2017	606
2018	619

Thompson's annual U.S.-directed production volume and sales of glider vehicles for calendar years 2010 through 2014 are set forth below.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	PBI / Ex. 4
2013		
2012		
2011		
2010		

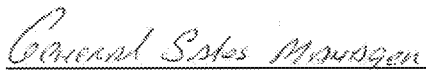
Based on the information provided above, our maximum annual exempt glider vehicle production for this model year is 2020/calendar year 2019 is **PBI / Ex. 4**

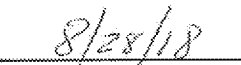
Please confirm that this request is acceptable and that Thompson has met all the requirements for the small business exemption as a glider vehicle assembler pursuant to 40 C.F.R. § 1037.150(t)(1).

Thank you for your assistance.


 Signature of Company Official

Allan.wainscott@tmcat.com


 Title


 Date

"Lasting relationships, Superior services, intelligent solutions"

Message

From: Zack Atkins [Personal Address / Ex. 6]
Sent: 8/29/2018 9:27:18 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
CC: allan.wainscott@tmcat.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Thanks for your help.

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Peterbilt**
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Wednesday, August 29, 2018 7:47 AM
To: Zack Atkins [Personal Address / Ex. 6]
Cc: allan.wainscott@tmcat.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zack
Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Zack Atkins [Personal Address / Ex. 6]
Sent: Wednesday, August 29, 2018 7:59 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: allan.wainscott@tmcat.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Mr. Healy:

Per your request, attached is a copy of Thompson's MY 2020 request on letterhead. Please note that the employment figure listed for 2018 in the first table has been corrected. The previous request showed 658 employees for 2018, whereas this new request shows 619 employees. If you have any questions about the change, Mr. Wainscott can address it.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Peterbilt**
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>

Sent: Monday, August 27, 2018 2:29 PM

To: Zack Atkins **Personal Address / Ex. 6**

Cc: allan.waincott@tmc.com

Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zach,
Can you please have this letter placed on Thompson Truck Centers letterhead or show the company name, address and phone at the top of the letter?

Thank you,

From: Zack Atkins **Personal Address / Ex. 6**

Sent: Friday, August 24, 2018 5:24 PM

To: Healy, Stephen <healy.stephen@epa.gov>

Cc: allan.waincott@tmc.com

Subject: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

For MY2020, Thompson Machinery Commerce Corporation expects to order glider kits through our Fitzgerald Peterbilt dealerships. Mr. Waincott, Thompson's general sales manager, is copied on this e-mail.

Attached please find Thompson's MY2020 request for small business exemption as a glider vehicle assembler under 40 C.F.R. 1037.150. Once you have reviewed Thompson's request, please e-mail a stamped copy to the two of us so that we can place Thompson's orders.

Appreciate your help.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Peterbilt**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 8/29/2018 12:46:51 PM
To: Zack Atkins; **Personal Address / Ex. 6**
CC: allan.wainscott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption
Attachments: 2020 Thompson Truck Centers Small Business.pdf

Zack

Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Zack Atkins; **Personal Address / Ex. 6**
Sent: Wednesday, August 29, 2018 7:59 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: allan.wainscott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Mr. Healy:

Per your request, attached is a copy of Thompson's MY 2020 request on letterhead. Please note that the employment figure listed for 2018 in the first table has been corrected. The previous request showed 658 employees for 2018, whereas this new request shows 619 employees. If you have any questions about the change, Mr. Wainscott can address it.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | **Fitzgerald Peterbilt**
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Monday, August 27, 2018 2:29 PM
To: Zack Atkins; **Personal Address / Ex. 6**
Cc: allan.wainscott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zach,

Can you please have this letter placed on Thompson Truck Centers letterhead or show the company name, address and phone at the top of the letter?

Thank you,

From: Zack Atkins

Personal Address / Ex. 6

Sent: Friday, August 24, 2018 5:24 PM

To: Healy, Stephen <healy.stephen@epa.gov>

Cc: allan.wainscott@tmcatt.com

Subject: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

For MY2020, Thompson Machinery Commerce Corporation expects to order glider kits through our Fitzgerald Peterbilt dealerships. Mr. Wainscott, Thompson's general sales manager, is copied on this e-mail.

Attached please find Thompson's MY2020 request for small business exemption as a glider vehicle assembler under 40 C.F.R. 1037.150. Once you have reviewed Thompson's request, please e-mail a stamped copy to the two of us so that we can place Thompson's orders.

Appreciate your help.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | Fitzgerald Peterbilt



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6



1255 Bridgestone Blvd
LaVergne, Tn 37086
615-259-5865

August 28, 2018

Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
Healy.Stephen@epa.gov

RECEIVED

DATE: 8/29/18

Re: Model Year 2020/Calendar Year 2019 Request for Small Business Exemption as a Glider Vehicle Assembler Pursuant to 40 C.F.R. § 1037.150(c) and (t)

Pursuant to C.F.R. § 1037.150, Thompson Machinery Commerce Corporation ("Thompson") hereby gives notice of its plans to utilize the small business exemption under 40 C.F.R. § 1037.150(t) for model year 2019/calendar year 2018.

Thompson certifies that it qualifies as a small business per 13 C.F.R. § 121.201 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing because Thompson, including its related entities, has fewer than 1,500 employees. Thompson employment figures for the years ended December 31, 2014, 2015 and 2016 along with 2017 (as of the date of this letter) are set forth below.

Employees

Year	Quantity
2014	458
2015	525
2016	550
2017	606
2018	619

Thompson's annual U.S.-directed production volume and sales of glider vehicles for calendar years 2010 through 2014 are set forth below.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	PBI / Ex. 4
2013		
2012		
2011		
2010		

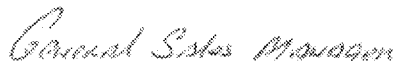
Based on the information provided above, our maximum annual exempt glider vehicle production for this model year is 2020/calendar year 2019 is **PBI / Ex. 4**

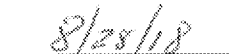
Please confirm that this request is acceptable and that Thompson has met all the requirements for the small business exemption as a glider vehicle assembler pursuant to 40 C.F.R. § 1037.150(t)(1).

Thank you for your assistance.


 Signature of Company Official

Allan.wainwright@tmcot.com


 Title


 Date

"Lasting relationships, Superior services, intelligent solutions"

Message

Sent: 4/16/2019 5:41:44 PM
To: Dustin Petersen [dustin.petersen@htctrucks.com]
CC: Davis, Julian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6bdfbdf185cc43f39aedec9ad41fc4a4-Davis, Julian]
Subject: Question Regarding Number of Gliders Built

Dustin,

I received a small business glider builder notification letter from Van Hauen Auto & Truck of Reinbeck, IA. Their letter stated that they assembled gliders for Harrison Truck Center, Waterloo, IA. They listed a PBI / Ex. 4 for 2012, 2013 and 2014 calendar years. Did Harrison Truck Centers include the gliders assembled by Van Hauen Auto & Truck in the build volumes listed in Harrison Truck Centers EPA notification letter?

Message

Sent: 4/12/2019 2:52:24 PM
To: Melissa McCombs [mmccombs@huntertrucksales.com]
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,

Please send a one letter for each company. The employee count on each letter should reflect the total count for that company plus all affiliated companies as required by the Small Business regulations. You should also state that the glider volumes represent assembled gliders

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Wednesday, April 10, 2019 2:30 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: 'Jack Lewis' <jlewis@huntertrucksales.com>
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Hello Mr. Healy,

I think I have a better understanding of the affiliations now. In response to your questions, please see the responses below highlighted in yellow. If you need more information or need me to combine everything into one letter, please let me know.

Thank you!

Melissa McCombs

mmccombs@huntertrucksales.com

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Wednesday, April 10, 2019 1:40 PM
To: Melissa McCombs
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,

I have a few questions and comments regarding these letters

- Do these two letters represent the entire glider production for Hunter affiliated companies?
 - Yes, because we have two separate EIN's I thought you would need separate letters. Added together, they represent the total number of assembled kits from all of our affiliates.
- The letters both state glider volumes in terms of kit sales. Do these numbers represent only kit sales or assembled gliders?
 - This represents assembled gliders only.
- Can you describe or explain all of the corporate affiliations that are part of or connected to Hunter Truck?
 - Hunter Keystone Peterbilt, L.P.
 - All affiliates listed on this letter are registered DBA's of Hunter Keystone Peterbilt, L.P.
 - Hunter Keystone Peterbilt, L.P. dba Hunter Truck
 - Hunter Keystone Peterbilt, L.P. dba Hunter Jersey Peterbilt
 - Hunter Keystone Peterbilt, L.P. dba Hunter Truck Sales & Service
 - Hunter Keystone Peterbilt, L.P. dba Hunter Pocono Peterbilt
 - Hunter Truck Sales & Service, Inc.
 - All affiliates listed on this letter are registered DBS's of Hunter Truck Sales & Service, Inc
 - Hunter Truck Sales & Service, Inc. dba Hunter Truck
- The employee counts must include the number of employees of that entity plus all affiliated company employees.

- Added together, they represent the total number of employees from all of our affiliates

For your reference here is a link to the small business regulation sections for affiliation and calculating number of employees:

§121.103 How does SBA determine affiliation?

https://www.ecfr.gov/cgi-bin/text-idx?SID=4b1417a271a70f9d59933ebb4b7ce7d9&mc=true&node=se13.1.121_1103&rgn=div8

§121.106 How does SBA calculate number of employees?

https://www.ecfr.gov/cgi-bin/text-idx?SID=4b1417a271a70f9d59933ebb4b7ce7d9&mc=true&node=se13.1.121_1106&rgn=div8

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Melissa McCombs <mmccombs@huntertrucksales.com>

Sent: Thursday, April 04, 2019 8:45 AM

To: Healy, Stephen <healy.stephen@epa.gov>

Subject: Glider Assembler Exemption Qty: 2 Requests

Good morning, Mr. Healy.

Two of our companies would like to utilize the small business provision for glider kit assembler. I have attached separate letters for each company. If you need the email requests as two separate emails please let me know and I will resubmit the requests however you prefer to have them.

Once approved, please send the letters to my attention at the address listed below so I can forward the approval letters to our manufacturer. If you need anything else or have any questions, please do not hesitate to give Jeff Hunter or myself a call at the number below.

Thank you for your time and consideration.

Sincerely,

Melissa McCombs, MBA | Corporate Sales Associate

Hunter Truck | Corporate Office

480 Pittsburgh Road, Butler, PA 16002

W: 724.586.5770 Ext 209 | F: 724.586.5710

mmccombs@huntertrucksales.com

www.huntertruck.com

To Send Me Documents Securely, Please Use This Link

HUNTER TRUCK

Our Mission: To build long-term relationships by providing an unparalleled commitment to personalized service, parts and sales — all reflected in the value, integrity and teamwork that has become synonymous with Hunter Truck for over 80 years.

This message and any attachments are intended only for the person to whom it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

Message

Sent: 4/12/2019 2:44:49 PM
To: becky@vrienstp.com; jason@vrienstp.com
Subject: EPA Glider Builder Small Business Notification Letter

I received you EPA small business glider builder notification letter from Cody Woods

Message

Sent: 4/9/2019 7:24:05 PM
To: marc@erwinbrostrucking.com
Subject: RE: glider builder letter update

Marc,

I'm not trying to be difficult, but your letter is correct with the word "affiliates" in place. I do not know why Freightliner does not like that, but the information in your letter needs to comply with the Federal regulations. The Federal regulations for small business require you count direct employees as well as affiliated companies, so your letter is correct as is.

§121.106 How does SBA calculate number of employees?

https://www.ecfr.gov/cgi-bin/text-idx?SID=f0b8b7152dd75e0fff6dcf564ed07a80&mc=true&node=se13.1.121_1106&rgn=div8

From: marc@erwinbrostrucking.com <marc@erwinbrostrucking.com>
Sent: Tuesday, April 09, 2019 1:05 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: glider builder letter update

Can I get an updated stamp of approval

Please see updated letter
The change in the letter is:

Freightliner wanted affiliates taken off of the 1st bullet point

Thank you

Message

Sent: 4/9/2019 7:14:16 PM
To: 'rmloomis@triton.net' [rmloomis@triton.net]
Subject: EPA Glider Builder Notification Letter

Rob,

I received a 2020 model year small business glider builder notification letter from Mary Ann Hogan at Michigan Kenworth. The information in this new letter does not match the information in your previous notification.

Appointment

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 9/14/2018 11:27:59 AM
To: Davis, Julian [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6bdfbdf185cc43f39aedec9ad41fc4a4-Davis, Julian]
Subject: Accepted: Glider Exemption (priority)
Location: AA-Room-Office-N05-ConfRoom/AA-OTAQ-OFFICE
Start: 9/14/2018 2:00:00 PM
End: 9/14/2018 2:30:00 PM
Show Time As: Busy

Appointment

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 8/21/2018 8:30:29 PM
To: Mroz, Jessica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=64b0c7f807df436a9b40ce52f7dec34c-Mroz, Jessi]
Subject: Accepted: Gliders Request (EPA-HQ-2018-007516) Discussion
Location: Skype Meeting

Start: 8/22/2018 7:00:00 PM
End: 8/22/2018 7:30:00 PM
Show Time As: Busy

Appointment

From: Mroz, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=64B0C7F807DF436A9B40CE52F7DEC34C-MROZ, JESSI]
Sent: 8/21/2018 8:29:46 PM
To: Mroz, Jessica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=64b0c7f807df436a9b40ce52f7dec34c-Mroz, Jessi]; Lubetsky, Jonathan [Lubetsky.Jonathan@epa.gov]; Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]; Meekins, Tanya [Meekins.Tanya@epa.gov]
Subject: Gliders Request (EPA-HQ-2018-007516) Discussion
Location: Skype Meeting
Start: 8/22/2018 7:00:00 PM
End: 8/22/2018 7:30:00 PM
Show Time As: Busy

Appointment

From: Davis, Julian [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6BDFBDF185CC43F39AEDEC9AD41FC4A4-DAVIS, JULIAN]
Sent: 9/13/2018 8:35:33 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: Glider Exemption (priority)
Location: AA-Room-Office-N05-ConfRoom/AA-OTAQ-OFFICE
Start: 9/14/2018 2:00:00 PM
End: 9/14/2018 2:30:00 PM
Show Time As: Tentative

Appointment

From: Mroz, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=64B0C7F807DF436A9B40CE52F7DEC34C-MROZ, JESSI]
Sent: 8/21/2018 8:29:45 PM
To: Lubetsky, Jonathan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e125d09a658e48119789ccae5712b4a5-JLUBETSK]; Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]; Meekins, Tanya [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b7f46e8a314b46d190b600593fcf4ad3-tmeekins]
Subject: Gliders Request (EPA-HQ-2018-007516) Discussion
Location: Skype Meeting
Start: 8/22/2018 7:00:00 PM
End: 8/22/2018 7:30:00 PM
Show Time As: Tentative

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 11/29/2018 6:15:43 PM
To: Monroe, Lyle [lmonroe@tlgtrucks.com]
Subject: RE: Huntley Trucking Co Compliance
Attachments: 2020 Huntley Trucking Inc Small Business.pdf

Lyle,
Please find the attached EPA small business notification letter stamped "Received" .

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

-----Original Message-----

From: Monroe, Lyle <lmonroe@tlgtrucks.com>
Sent: Thursday, November 29, 2018 10:24 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Huntley Trucking Co Compliance

Stephen

Attached is the Model year 2020 Request for the Small Business Exemption for Gliders . Their builder number is 9409129.

Thank you

Lyle Monroe
Peterbilt of Cincinnati
2550 Annuity Dr
Cincinnati, Ohio 45241
513-673-0878 Cell
800-743-7033 Office
877-538-2830 Fax
lmonroe@tlgtrucks.com
It's never crowded along the extra mile

** Print on Company Letterhead **

Stephen Healy
EPA OIAQ Compliance Division
Diesel Engine Compliance Center
Healy.Stephen@epa.gov

RECEIVED

DATE: 11/29/18

Re: Model Year 2020 / Calendar Year 2019 Request for Small Business Exemption as a Glider Vehicle Assembler

[Insert Assembler Name] certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	
2013		
2012		
2011		
2010		

Based on the information provided above, our maximum annual exempt glider vehicle production for this model year is _____.

Employees

Year	Quantity
Current	40
Current – 1	
Current – 2	
Current – 3	

Ownership Structure

Owner	% Ownership
Huntley Trucking Co	100

I attest that [Insert Assembler Name] is not affiliated with any other company.

Please confirm that this request is acceptable and that [Insert Assembler Name] has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.

Stephen Healy
Signature of Company Official

President
Title

11-29-18
Date

Address / E-mail / Phone if not printed on company letterhead:

Huntley Trucking Co
23525 Pumpkin Ridge Rd
New Plymouth, OH 45654

Request Details**Request Type :** FOIA**Status :** Assignment Determination**Due Date :** 06/08/2018Alan
Duncan

Submitted Evaluation Assignment Processing Closed

Request Details

Tracking Number : EPA-HQ-2018-007516	Submitted Date : 05/09/2018
Requester : Erin Murphy	Perfected Date : 05/10/2018
Organization : Environmental Defense Fund	Last Assigned Date : 05/10/2018
Requester Has Account : Yes	Fee Limit : \$0.00
Email Address : emurphy@edf.org	Request Track : Simple
Phone Number : 202-572-3525	Due Date : 06/08/2018
Fax Number : N/A	Assigned To : Office of Transportation and Air Quality
Address : 1875 Connecticut Ave NW Suite 600	Last Assigned By : Sabrina Hamilton (Immediate Office)
City : Washington	
State/Province : DC	
Zip Code/Postal Code : 20009	

Submission Details**Request Handling**

Requester Info Available to Yes the Public :	Request Perfected : Yes
Request Track : Simple	Perfected Date : 05/10/2018
Fee Category : Other	Acknowledgement Sent Date:
Fee Waiver Requested: Yes	Unusual Circumstances ? : No
Fee Waiver Status: Pending Decision	5 Day Notifications: No
Expedited Processing Yes Requested :	Litigation : No
Expedited Processing Status : Pending Decision	* Litigation Court Docket Number :

Request Description

Short Description : N/A

Environmental Defense Fund respectfully requests records, as that term is described at 5 U.S.C. § 552(f)(2) of the Freedom of Information Act, of the U.S. EPA related to certification of model year ("MY") 2017 and later glider vehicles.

Description Available to the Yes Public :

Has Description Been No Modified?

Attached Supporting Files

Attachments Available to the Yes Public :

Attached File	Type	Size (MB)	Remove
Glider Certification FOIA 5.9.18 Final.pdf	PDF	0.39	



May 9, 2018

SUBMITTED ELECTRONICALLY

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
(202) 566-1667

**Re: Freedom of Information Act Request for Records Related to MY 2017 and Later
Glider Vehicles**

Dear National Freedom of Information Officer:

Environmental Defense Fund ("EDF") respectfully requests records, as that term is described at 5 U.S.C. § 552(f)(2) of the Freedom of Information Act ("FOIA"), of the U.S. Environmental Protection Agency ("EPA" or the "Agency") related to certification of model year ("MY") 2017 and later glider vehicles. Specifically, EDF requests:

- (1) all certificates issued for a glider vehicle;
- (2) all certification applications for MY 2017 and later glider vehicles;
- (3) all notifications from small business manufacturers of glider vehicles claiming exempt status under 40 C.F.R. § 1037.150(t)(1)(i); and
- (4) all annual reports required by 40 C.F.R. § 1037.250 and § 1037.150(t)(1)(iii) identifying the number of exempt glider vehicles produced by each notifying manufacturer in model year 2017 or thereafter.

EDF respectfully seeks records produced, modified, transmitted or received by the agency from January 1, 2016, until the date that EPA begins searching for records responsive to this request. The requested records include, but are not limited to, communications, documents, letters, information, notes, memoranda, electronic mail transmissions or other electronic forms of information, telephone logs and records, meeting records, reports, analyses, assessments, data, and modeling, including all drafts and preliminary forms of any such records.

If any of the information sought in this request is deemed by EPA to be properly withheld under a FOIA exemption, 5 U.S.C. § 552(b), please provide EDF with an explanation, for

each such record or portion thereof, sufficient to identify the record and the particular exemption(s) claimed.

Request for Expedited Processing

EDF respectfully seeks expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E)(i) and 40 C.F.R. § 2.104(e)(1)(ii), which applies when there is “[a]n urgency to inform the public about an actual or alleged Federal government activity, if the information is requested by a person primarily engaged in disseminating information to the public.” In relation to five other FOIA requests, EPA recently recognized EDF’s eligibility for expedited processing on this basis.¹ In support of this request for expedited processing, I certify that the following information is true and correct to the best of my knowledge and belief:

- (1) EDF engages in extensive, daily efforts to inform the public about matters involving environmental policy. For example, EDF has multiple channels for distributing information to the public, including through direct communication with its more than 2 million members, press releases, blog posts, active engagement on social media, and frequent appearances by staff in major media outlets.²
- (2) In October 2016, EPA promulgated various provisions related to “glider” vehicles—a new truck body into which an old, rebuilt engine and powertrain is placed.³ These provisions generally require engines in glider vehicles to be certified to meet the standards applicable to the year of the vehicle, so that a rebuilt engine in a MY 2017 glider truck would need to meet the same pollution standards as any other MY 2017 heavy duty truck. The rule contains various exemptions to this general requirement. For instance, small business manufacturers of model year 2017 glider vehicles may produce up to their highest production level from 2010–2014 using engines certified to the year of the engine (rather than the year of the vehicle).⁴ Starting in January 2018, this allowance is capped, so that even the largest glider vehicle manufacturers may produce no more than 300 glider vehicles

¹ See Letter from Larry F. Gottesman (EPA) to Benjamin Levitan (EDF) re: Request Tracking Number EPA-HQ-2017-003545 (Feb. 23, 2017); Letter from Larry F. Gottesman (EPA) to Benjamin Levitan (EDF) re: Request Tracking Number EPA-HQ-2017-005587 (Apr. 12, 2017); Letter from Larry F. Gottesman (EPA) to Benjamin Levitan (EDF) re: Request Tracking Number EPA-HQ-2017-008622 (July 7, 2017); Letter from Larry F. Gottesman (EPA) to Benjamin Levitan (EDF) re: Request Tracking Number EPA-HQ-2017-009283 (July 13, 2017); Letter from Larry F. Gottesman (EPA) to Benjamin Levitan (EDF) re: Request Tracking Number EPA-HQ-2017-009579 (July 26, 2017).

² See, e.g., Alice Henderson, *Public Speaks Out Against Pruitt’s Effort to Reopen a Loophole for Super-Polluting Glider Trucks*, EDF Climate 411 Blog (Dec. 8, 2017), <http://blogs.edf.org/climate411/2017/12/08/public-speaks-out-against-pruitts-effort-to-reopen-a-loophole-for-super-polluting-glider-trucks/>; Press Release, EDF, EDF Calls on EPA to Protect Americans’ Health from Super-Polluting Glider Trucks at Public Hearing Today (Dec. 4, 2017), <https://www.edf.org/media/edf-calls-epa-protect-americans-health-super-polluting-glider-trucks-public-hearing-today>; Alice Henderson, *EPA’s Pruitt Tries to Open a Loophole to Allow Super-Polluting Trucks on Our Roads*, EDF Climate 411 Blog (Nov. 16, 2017), <http://blogs.edf.org/climate411/2017/11/16/epas-pruitt-tries-to-open-a-loophole-to-allow-super-polluting-trucks-on-our-roads/>.

³ EPA, Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2, 81 Fed. Reg. 73,748 (Oct. 25, 2016); see also 40 C.F.R. §§ 1037.150(t), 1037.635.

⁴ 40 C.F.R. § 1037.150(t)(3).

per model year.⁵ This cap has been in effect for several months now.

- (3) In November 2017, EPA issued a proposed rule that would repeal pollution standards for glider vehicles, glider engines, and glider kits.⁶ Repeal of these requirements would have disastrous air pollution effects: glider trucks emit harmful air pollution such as nitrogen oxides and particulate matter at a rate as much as forty times that of new engines.⁷ Glider trucks also emit diesel exhaust, which has been classified as a known human carcinogen by the World Health Organization,⁸ and a likely human carcinogen by EPA.⁹
- (4) It is therefore critical that the public obtain access to information regarding how EPA is presently enforcing the glider pollution standards, specifically with respect to the limited permitted exemptions. As EPA moves to repeal glider pollution standards, the public must have access to relevant information about the functioning of the program in order to fully participate in the rulemaking process and provide meaningful comment on the proposed action. Expedited processing is therefore critical so that the American public can obtain and analyze this information in a timely manner.

Request for Fee Waiver

As a non-partisan, non-profit organization that provides information that is in the public interest, EDF respectfully requests a waiver of fees associated with this request. We are not seeking information for any commercial purpose and the records received will contribute to a greater public understanding of issues of considerable public interest: exemptions granted to manufacturers of glider vehicles and EPA's monitoring and enforcement of its pollution standards pertaining to super-polluting gliders. 5 U.S.C. § 552(a)(4)(A)(iii). EDF is well positioned to disseminate the records to the public, as we routinely issue press releases, action alerts, reports, analyses, and other public outreach materials. These outreach channels are proven effective: for example, a press release that EDF released in response to a partial production of EPA records was quickly picked up by a major media outlet.¹⁰ We fully intend to disseminate newsworthy information received in response to this request.

⁵ 40 C.F.R. § 1037.150(t)(1)(ii).

⁶ EPA, Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits, 82 Fed. Reg. 53,442 (Nov. 16, 2017).

⁷ Henderson, *EPA's Pruitt Tries to Open a Loophole to Allow Super-Polluting Trucks on our Roads*, *supra* note 2.

⁸ Bulletin of the World Health Organization, <http://www.who.int/bulletin/volumes/90/7/12-010712/en/> (last visited December 21, 2017).

⁹ U.S. Environmental Protection Agency, Chemical Assessment Summary – diesel engine exhaust, *available at* https://cfpub.epa.gov/ncea/iris/iris_documents/documents/subst/0642_summary.pdf.

¹⁰ See Press Release, EDF, Environmental Defense Fund Obtains Information on Over 1,900 Climate-Related Items Removed from or Modified on EPA Website (Aug. 11, 2017), <https://www.edf.org/media/environmental-defense-fund-obtains-information-over-1900-climate-related-items-removed-or>; Coral Davenport & Eric Lipton, *Scott Pruitt Is Carrying Out His E.P.A. Agenda in Secret, Critics Say*, N.Y. Times (Aug. 11, 2017), <https://www.nytimes.com/2017/08/11/us/politics/scott-pruitt-epa.html> (citing EDF's press release).

Accordingly, we respectfully request that EPA furnish the records without charge. 5 U.S.C. § 552(a)(4)(A)(iii).

For ease of administration and to conserve resources, we will accept documents produced in a readily accessible electronic format. In the event EDF's request for a fee waiver is denied or if you have any questions about this request, please contact me immediately by telephone at (202) 572-3525 or by email at emurphy@edf.org.

Respectfully submitted,

Erin Murphy
Environmental Defense Fund
1875 Connecticut Ave. NW, Ste. 600
Washington, DC 20009

EPA-HQ-2018-011138 Request Details Backlogged

Case Status: Research Records **Due Date:** 10/03/2018 **Clock Days:** 117

Case Phase: Processing

Requester Information

Requester	Jacqueline M Iwata
Organization	Natural Resources Defense Council
Requester Has Account	No
Email Address	jiwata@nrdc.org
Phone Number	2022892377
Fax Number	
Address	1152 15th St. NW Suite 300
City	Washington
State/Province	DC
Zip Code/Postal Code	20005
Tracking Number	EPA-HQ-2018-011138
Submitted Date	08/31/2018
Received Date	08/31/2018
Perfected Date	09/05/2018
Last Assigned Date	08/31/2018
Assigned To	Tanya Meekins (Office of Transportation and Air Quality)
Last Assigned By	Tanya Meekins (Office of Transportation and Air Quality)
Request Track	Simple
Fee Limit	\$500.00

Request Handling

Requester Info Available to the Public	Yes
Request Track	Simple
Fee Category	Other
Fee Waiver Requested	Yes
Fee Waiver Status	Not Billable
Expedited Processing Requested	Yes
Expedited Processing Status	Deny
Request Type	FOIA
Request Perfected	Yes
* Perfected Date	09/05/2018

August 31, 2018

Via FOIA Online to:

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

Re: FOIA Request for Records concerning glider truck reporting

Dear FOIA Officer:

I write on behalf of the Natural Resources Defense Council (NRDC) to request disclosure of records pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and applicable U.S. Environmental Protection Agency (EPA) regulations at 40 C.F.R. §§ 2.100-2.406.

I. Requested Records and Disclosure Method

Please produce records¹ of the following types in EPA's possession, custody or control that pertain to glider vehicles and glider kits. This information includes the following dating back to October 25, 2016:

1. Any records submitted by glider vehicle and glider kit manufacturers to EPA under 40 C.F.R. § 1037.150(t) such as:
 - Notice to EPA about plans to claim an exemption under § 1037.150(t). *See id.* § 1037.150(t)(1)(i);
 - Records pertaining to a manufacturer's annual U.S.-directed production volumes and sales for glider vehicles for calendar years 2010-2014. *See id.*

¹ "Records" means anything denoted by the use of that word or its singular form in the text of FOIA and includes correspondence, minutes of meetings, memoranda, notes, emails, notices, facsimiles, charts, tables, presentations, orders, filings, internal messaging systems, and other writings (handwritten, typed, electronic, or otherwise produced, reproduced, or stored). NRDC seeks responsive records in the custody of any EPA office, including, but not limited to, EPA Headquarters offices.

- Records pertaining to glider vehicle manufacturers using glider kits. *See id.* § 1037.150(t)(1)(v);
- 2. Any records submitted by glider vehicle or glider kit manufacturers to EPA pertaining to the reports and records required under 40 C.F.R. § 1037.250(a), (b) such as:
 - The report required by § 1037.250(a) including any such report identifying the number of exempt vehicles produced in the preceding calendar year as required by 40 C.F.R. § 1037.150(t)(1)(iii);
 - Any records described by § 1037.250(b) that EPA has requested;
- 3. Any EPA records discussing 40 C.F.R. § §1037.150(t) & 1037.250(a), (b) submissions (or lack thereof) by glider vehicle or glider kit manufacturers;
- 4. Any correspondence between EPA and glider vehicle or glider kit manufacturers pertaining to the manufacturers' reporting obligations under 40 C.F.R. §§ 1037.150(t) & 1037.250(a), (b).

Please either email responsive records to me at jiwata@nrdc.org, or email me to request a link to a Dropbox folder where you can upload the records. Please release responsive records to me on a rolling basis. For example, if the records described in #1 and #2 above are more easily ascertainable, please provide those as soon as possible while you search for records #3 and #4. If you determine that any of the records I've described above are already publicly available, please let me know where to find them.

II. Request for a Fee Waiver (or Reduction) and Willingness to Pay Fees Under Protest (Up to \$500)

NRDC requests that EPA waive any fee it would otherwise charge for searching for and producing the requested records. FOIA dictates that requested records be provided without charge "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A)(iii); *see also* 40 C.F.R. § 2.107(l)(1). As I explain below, NRDC's requested disclosure meets both requirements. NRDC is also "a representative of the news media" entitled to fee reduction. 5 U.S.C. § 552(a)(4)(A)(ii)(II); *see also* 40 C.F.R. § 2.107(c)(1)(iii).

Please disclose the records requested above regardless of your decision on whether to waive or reduce fees. To expedite disclosure, NRDC will, if necessary and under protest, pay fees in accordance with EPA's FOIA regulations at 40 C.F.R. § 2.107(c)(1)(iv) for all or a portion of the requested records. *See* 40 C.F.R. § 2.107(l)(4). Please contact me before doing anything that would cause the fee to exceed \$500.

A. NRDC Satisfies the First Fee Waiver Requirement

The disclosure requested here is “likely to contribute significantly to public understanding of the operations or activities of the government.” 5 U.S.C. § 552(a)(4)(A)(iii); 40 C.F.R. § 2.107(l)(1). Each of the four factors used by EPA evaluate the first fee waiver requirement indicates that a fee waiver is appropriate for this request. *See* 40 C.F.R. § 2.107(l)(2).

1. Subject of the request

The records requested here pertain to EPA’s regulation of new motor vehicle emission standards for glider trucks. These records would shed light on what information glider vehicle and glider kit manufacturers are providing EPA, glider manufacturers’ past and present production levels, and whether EPA is enforcing its regulations for glider vehicles and glider kits as codified at 40 C.F.R. § 1037.150(t). The requested records thus directly concern “the operations or activities of the government.” 40 C.F.R. § 2.107(l)(2)(i).

2. Informative value of the records to be disclosed

The requested records are “likely to contribute to” the public’s understanding of government operations and activities, 40 C.F.R. § 2.107(l)(2)(ii). The public does not currently possess comprehensive information regarding EPA’s role in enforcing emission standards for glider trucks and glider trucks’ production levels. There is more than a reasonable likelihood that these records have informative value to the public because EPA has sent conflicting signals about whether it will rescind its regulations limiting the number of glider vehicles and kits under 40 C.F.R. § 1037.150(t) and whether it is enforcing these regulations’ requirements. EPA has proposed rescinding these regulations and issued a no action assurance even though these regulations remain good law. *See* Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits, 82 Fed. Reg. 53,442, 53,442 (Nov. 16, 2017); Memorandum from Susan Parker Bodine, Assistant Administrator, Office of Enforcement & Compliance Assurance, to Bill Wehrum, Assistant Administrator, Office of Air & Radiation (July 6, 2018). Although EPA has rescinded the no action assurance, the regulatory environment is now full of uncertainty. The requested documents would inform the public on the current state of EPA’s policies and whether glider manufacturers are complying with the law. *See Citizens for Responsibility & Ethics in Washington v. U.S. Dep’t of Health & Human Servs.*, 481 F. Supp. 2d 99, 109 (D.D.C. 2006).

3. Likely contribution to public understanding

Because NRDC is a “representative of the news media,” as explained in Part II.C below, EPA must presume that this disclosure is likely to contribute to public understanding of its subject. 40 C.F.R. § 2.107(l)(2)(iii). Even if NRDC were not a media requester, its expertise in vehicle emission standards and air pollution, extensive communications capabilities, and proven history of dissemination of information of public interest—including information obtained from FOIA records requests—show that NRDC has the ability and will to use disclosed records to reach a broad audience of interested persons with any relevant and newsworthy information the records reveal. There is accordingly a strong likelihood that disclosure of the requested records will increase public understanding of the subject matter. *See Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003) (finding that a requester that specified multiple channels of dissemination and estimated viewership numbers demonstrated a likelihood of contributing to public understanding of government operations and activities).

NRDC’s more than three million members and online activists are “a broad audience of persons interested in the subject” of vehicle emission standards and air quality, 40 C.F.R. § 2.107(l)(2)(iii). When this group is combined with the other audiences for the numerous publications and other platforms to which NRDC contributes, the likely audience of interested persons to be reached is certainly “reasonably broad.” 40 C.F.R. § 2.107(l)(2)(iii).

NRDC can disseminate newsworthy information collected through this FOIA request to its members, online activists and other members of the public through many channels, free of charge. As of summer 2017, these channels include:

- NRDC’s website, <http://www.nrdc.org> (sample homepage at Att. 1), is updated daily, features blogs by NRDC’s scientific, legal, and other staff experts, and draws approximately 1.3 million page views and 510,000 unique visitors per month.
- NRDC’s Activist email list includes more than three million members and online activists who receive regular communications on urgent environmental issues. (sample at Att. 7) This information is also made available through NRDC’s online Action Center at <https://www.nrdc.org/actions> (Att. 8).
- NRDC updates and maintains several social media accounts with tens to hundreds of thousands of followers. Its major accounts include Facebook (906,992 followers) (Att. 2), Twitter (271,551 followers) (Att. 3), Instagram (108,315 followers) (Att. 4), YouTube (Att. 5), and LinkedIn (Att. 6).

- NRDC also is a regular contributor to Medium (1,478 followers) (Att. 9) and the Huffington Post (Att. 10).

NRDC staff also write papers and reports; provide legislative testimony; present at conferences; direct and produce documentary films; and contribute to national radio, television, newspaper, magazine and web stories and academic journals. Some examples of these contributions include:

- Article, "Interior Department worked behind the scenes with energy industry to reverse royalties rule," *Wash. Post*, Oct. 6, 2017 (discussing documents obtained through a FOIA request submitted by NRDC and quoting NRDC Senior Policy Advocate Theo Spencer) (Att. 12);
- Documentary, *Sonic Sea* (2016), featured on the Discovery Channel (directed and produced by NRDC Deputy Director of Communications Daniel Hinerfeld) (Att. 13);
- Research article, "The requirement to rebuild US fish stocks: Is it working?" *Marine Policy*, July 2014 (co-authored by NRDC Oceans Program Senior Scientist Lisa Suatoni and Senior Attorney Brad Sewell) (Att. 14);
- Issue brief, "The Untapped Potential of California's Water Supply: Efficiency, Reuse, and Stormwater," June 2014 (co-authored by NRDC Water Program Senior Attorney Kate Poole and Senior Policy Analyst Ed Osann) (Att. 15); *see also* "Saving Water in California," *N.Y. Times*, July 9, 2014 (discussing the report's estimates) (Att. 16);
- Congressional testimony, David Doniger, NRDC Climate and Air Program Policy Director and Senior Attorney, before the United States House Subcommittee on Energy and Power, June 19, 2012 (Att. 17);
- Conference brochure, "World Business Summit on Climate Change," May 2009 (featuring former NRDC Director for Market Innovation Rick Duke at 9) (Att. 18);

NRDC's legal, scientific, and other experts have a history of using information obtained through FOIA requests to inform the public about a variety of issues, including energy policy, climate change, wildlife protection, nuclear weapons, pesticides, drinking water safety, and air quality. For example:

1. NRDC recently obtained through FOIA and publicized emails between the Trump transition team and industry officials regarding reversal of Obama-era preliminary restrictions on the proposed Pebble Mine. This cast light on an issue of considerable public interest. *See, e.g.,* Kevin Bogardus and Dylan Brown, "'Homework assignment' — how Pebble lobbied Trump's EPA," *E&E News*, June 8, 2017 (Att. 30).

2. In April 2014, NRDC used FOIA documents to prepare a report on potentially unsafe chemicals added to food, without FDA oversight or public notification. The report, *Generally Recognized as Secret: Chemicals Added to Food in the United States*, reveals concerns within the agency about several chemicals used as ingredients in food that manufacturers claim are "generally recognized as safe" (Att. 28). *See also* Kimberly Kindy, "Are secret, dangerous ingredients in your food?" *Wash. Post*, Apr. 7, 2014 (discussing report) (Att. 29).
3. NRDC obtained, through FOIA, FDA review documents on the nontherapeutic use of antibiotic additives in livestock and poultry feed. NRDC used these documents to publish a January 2014 report, titled *Playing Chicken with Antibiotics*, that reveals decades of FDA hesitancy to ensure the safety of these drug additives (Att. 26). *See also* P.J. Huffstutter and Brian Grow, "Drug critic slams FDA over antibiotic oversight in meat production," *Reuters*, Jan. 27, 2014 (discussing report) (Att. 27).
4. NRDC has used White House documents obtained through FOIA and other sources to inform the public about EPA's decision not to protect wildlife and workers from the pesticide atrazine in the face of industry pressure. *See Still Poisoning the Well: Atrazine Continues to Contaminate Surface Water and Drinking Water in the United States*, <http://www.nrdc.org/health/atrazine/files/atrazine10.pdf> (Apr. 2010) (update to 2009 report) (Att.24). *See also* William Souder, "It's Not Easy Being Green: Are Weed-Killers Turning Frogs Into Hermaphrodites?" *Harper's Magazine*, Aug. 1, 2006 (referencing documents obtained and posted online by NRDC) (Att. 25).
5. NRDC scientists have used information obtained through FOIA to publish analyses of the United States' and other nations' nuclear weapons programs. In 2004, for example, NRDC scientists incorporated information obtained through FOIA into a feature article on the United States' plans to deploy a ballistic missile system and the implications for global security. Hans M. Kristensen, Matthew G. McKinzie, and Robert S. Norris, "The Protection Paradox," *Bulletin of Atomic Scientists*, Mar./Apr. 2004 (Att. 23).
6. Through FOIA, NRDC obtained an ExxonMobil memorandum advocating the replacement of the sitting head of the Intergovernmental Panel on Climate Change, and used the document to help inform the public about what may have been behind the Bush administration's decision to replace Dr. Robert Watson. *See* NRDC Press Release and attached Exxon memorandum, "Confidential Papers Show Exxon Hand

in White House Move to Oust Top Scientist from International Global Warming Panel," Apr. 3, 2002 (Att. 21). *See also* Elizabeth Shogren, "Charges Fly Over Science Panel Pick," *L.A. Times*, Apr. 4, 2002, at A19 (Att. 22).

7. Through FOIA and other sources, NRDC obtained information on levels of arsenic in drinking water nationwide and used it in a report, *Arsenic and Old Laws* (2000) (Att. 19). The report explained how interested members of the public could learn more about arsenic in their own drinking water supplies. *Id.* *See also* Steve LaRue, "EPA Aims to Cut Levels of Arsenic in Well Water," *San Diego Union-Tribune*, June 5, 2000, at B1 (referencing NRDC's report) (Att. 20).

In short, NRDC has proven its ability to digest, synthesize, and quickly disseminate to a broad audience newsworthy information gleaned through FOIA requests like this one.

4. Significance of the contribution to public understanding

The records requested here shed light on a matter of considerable public interest and concern: current and past glider truck production levels. There has been significant news coverage about EPA's many position changes regarding glider trucks. *See* Exs. A-C. This interest is warranted given that glider trucks emit significantly more pollutants than heavy-duty trucks built in the same year. *See* Ex. D. Glider manufacturers' communications with EPA have also received significant media attention. *See* Exs. E-F.

Public understanding of EPA's policies towards glider trucks would be significantly enhanced by disclosure of the requested records concerning EPA's enforcement actions and the information it has received from glider manufacturers. Disclosure would help the public to more effectively evaluate past and current levels of glider truck production and to better understand and evaluate EPA's actions (or inaction) on enforcing its existing regulations. Whether manufacturers are observing and EPA is enforcing current regulations limiting glider truck production would have important implications for air quality.

B. NRDC Satisfies the Second Fee Waiver Requirement

Disclosure of the requested records would also satisfy the second prerequisite of a fee waiver request because NRDC does not have any commercial interest that would be furthered by the disclosure. 5 U.S.C. § 552(a)(4)(A)(iii); 40 C.F.R. § 2.107(l)(1), (3). NRDC is a not-for-profit organization; it uses information obtained under FOIA for its own public-information and advocacy purposes, and does not resell this information. "Congress

amended FOIA to ensure that it be 'liberally construed in favor of waivers for noncommercial requesters.'" *Rossotti*, 326 F.3d at 1312 (internal citation omitted); *see Natural Res. Def. Council v. United States Env'tl. Prot. Agency*, 581 F. Supp. 2d 491, 498 (S.D.N.Y. 2008). NRDC wishes to serve the public by reviewing, analyzing, and disclosing newsworthy and presently non-public information about glider truck production levels. As noted at Part II.A, any EPA work on glider truck production relates to a matter of considerable public interest and concern. Disclosure of the requested records will contribute significantly to public understanding of glider truck production levels and associated threats to human health and the environment.

C. NRDC Is a Media Requester

Even if NRDC were not entitled to a public interest waiver of all costs and fees, it would be a representative of the news media entitled to a reduction of fees under FOIA, 5 U.S.C. § 552(a)(4)(A)(ii), and EPA's FOIA regulations, 40 C.F.R. § 2.107(c)(1)(iii); *see also* if EPA, 40 C.F.R. § 2.107(b)(6) (defining "[r]epresentative of the news media"). A representative of the news media is "any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." 5 U.S.C. § 552(a)(4)(A)(ii); *see also Elec. Privacy Info. Ctr. v. Dep't of Def.*, 241 F. Supp. 2d 5, 6, 11-15 (D.D.C. 2003) (a "non-profit public interest organization" qualifies as a representative of the news media under FOIA where it publishes books and newsletters on issues of current interest to the public); Letter from Alexander C. Morris, FOIA Officer, United States Dep't of Energy, to Joshua Berman, NRDC (Feb. 10, 2011) (Att. 11) (granting NRDC media requester status).

NRDC is in part organized and operated to gather and publish or transmit news to the public. For example, NRDC publishes original reporting of environmental news stories on its website, <http://www.nrdc.org>. Previously, NRDC published stories like these in its magazine, *OnEarth*, which has won numerous news media awards, including the Independent Press Award for Best Environmental Coverage and for General Excellence, a Gold Eddie Award for editorial excellence among magazines, and the Phillip D. Reed Memorial Award for Outstanding Writing on the Southern Environment. As explained in Part II.A, NRDC also publishes a regular newsletter for its more than three million members and online activists. *See* 40 C.F.R. § 2.107(b)(6) ("Examples of news media include . . . publishers of periodicals."). NRDC also maintains a significant additional communications presence through its staff blogs on www.nrdc.org, which are updated regularly and feature writing about current environmental issues, through daily news messaging on "Twitter" and "Facebook," and through content distributed to outlets such as Medium. *See* OPEN

Government Act of 2007, Pub. L. No. 110-175, § 3, 121 Stat. 2524 (2007) (codified at 5 U.S.C. § 552(a)(4)(A)(ii)) (clarifying that “as methods of news delivery evolve . . . such alternative media shall be considered to be news-media entities”). These and the other communications channels referenced earlier in this letter routinely include information about current events of interest to the readership and the public. NRDC employs more than fifty specialized communications staff, including accomplished journalists and editors, and numerous other advocates able to disseminate, through these and other channels, newsworthy information acquired through FOIA.

Organizations with NRDC’s characteristics “are regularly granted news representative status.” *Serv. Women’s Action Network v. Dep’t of Def.*, 888 F. Supp. 2d 282, 287-88 (D. Conn. 2012) (according media requester status to the American Civil Liberties Union); *see also Cause of Action v. Fed. Trade Comm’n*, 961 F. Supp. 2d 142, 163 (D.D.C. 2013) (explaining that an organization can qualify for media-requester status if it “distributes work to an audience and is especially organized around doing so”).

III. Request for Expedited Processing

Lastly, NRDC seeks expedited processing for this request. There is a “a compelling need” for records regarding the production of glider vehicles and kits and EPA’s efforts (if any) to enforce existing regulations. 5 U.S.C. § 552(e)(6)(E)(i)(1); *see also* 40 C.F.R. § 2.104(e)(1)(ii) (expedited processing is warranted when there is an “urgency to inform the public about an actual or alleged Federal government activity”). There is significant confusion about glider production due to the mixed messages sent by EPA’s changing policies. It is important for the public to know whether glider manufacturers are complying with existing law given the high level of pollutants they emit. As EPA itself has acknowledged, “removing even a fraction of glider kit vehicles from the road will yield substantial health-related benefits.” 81 Fed. Reg. 73,478, 73,883 (Oct. 25, 2016). In fact, over a dozen states and the District of Columbia petitioned EPA to rescind the no action assurance based on concerns about their citizens’ health. *See* Emergency Motion for Summ. Vacatur 25-27, *California v. U.S. EPA*, No. 18-1192 (D.C. Cir. July 19, 2018).

Further, the requested records will be used to “disseminat[e] information to the public” about a federal government activity. 40 C.F.R. § 2.104(e)(1)(ii). As noted earlier in this request, one of NRDC’s primary purposes is to share information about environmental issues with the public. NRDC is in part organized and operated to gather and publish or transmit news to the public. It maintains *OnEarth* magazine and staff blogs on


www.nrdc.org, and also disseminates information on its social media accounts. This is done without economic gain and solely for the public's benefit.

I certify the above is true and correct to the best of my knowledge. *See* 40 C.F.R. § 2.104(e)(3).

IV. Conclusion

Thank you for your help. Please call or email me with questions.

Sincerely,



Attorney
Natural Resources Defense Council, Inc.
1152 15th Street NW, Suite 300
Washington, DC 20005
jiwata@nrdc.org
(202) 289-2377

Enclosures in support of fee waiver and reduction requests

Attachments 1 through 30 (single .pdf file)

Exhibits A through F (single .pdf file)

Message

Sent: 4/26/2019 1:51:19 AM
To: Bunker, Byron [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ddf7bcf023d241a9a477a2dc75d5901c-Bunker, Byron]
CC: Duncan, Allen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f4a476a56c342e7a2eed96115208ac-Duncan, All]
Subject: Small Business Glider Builder Data
Attachments: Glider Builder Data Summary 3-12-19.docx

Byron,

Attached is a summary of data on the qualified small businesses that have notified EPA of their intent to build exempted gliders

Delivery Report

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 3/30/2019 7:53:08 AM
To: Marc Erwin [marc@erwinbrostrucking.com]
Subject: Not read: RE: ***SPAM*** RE: glider truck certificate

Your message

To: Healy, Stephen
Subject: RE: ***SPAM*** RE: glider truck certificate
Sent: 2/27/2019 8:22:18 PM

was 3/30/2019
deleted 7:53:08
without AM
being read
on

Message

Sent: 3/27/2019 6:15:56 PM
To: DEVANS@evanslandscaping.com
Subject: EPA Glider Builder Small Business Notification Letter

Doug,

I received your small business glider builder notification letter from Lyle Monroe of Cincinnati. I have a question for you. Did you sell a glider to another company in 2014?

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

Message

Sent: 5/5/2019 9:05:57 AM
To: Deborah.Rogstad@PACCAR.com
Subject: FW: Small business exemption form
Attachments: Shreiner Trucking Unsigned.pdf

Deb,
I received a glider builder notification letter from Shreiner Trucking. They appear to be a very small Can you please check the **PBI / Ex. 4** noted below.

From: jphsmh **Personal Address / Ex. 6**
Sent: Thursday, March 21, 2019 9:13 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: Small business exemption form

PBI / Ex. 4

Sent from my iPhone

On Mar 20, 2019, at 1:36 PM, Healy, Stephen <healy.stephen@epa.gov> wrote:

Can you please provide the VINs for the **PBI / Ex. 4** built and sold in 2014?

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: jphsmh **Personal Address / Ex. 6**
Sent: Friday, March 15, 2019 1:20 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Small business exemption form

Hi Mr Healy, I was advised by my salesman to fill out and forward this form to you. Thanks Ricky.

<image001.jpg>

Sent from my iPhone

SHREINER TRUCKING653 KUTZTOWN ROAD
MYERSTOWN, PA 17067OFFICE 717-933-8673 FAX 717-933-1113
CELL 717-821-0837Stephen Healy
EPA OTHAQ Compliance Division
Diesel Engine Compliance Center
Healy.Stephen@epa.gov

Re: Model Year 2020 / Calendar Year 2019 Request for Small Business Exemption as a Glider Vehicle Assembler

Shreiner Trucking certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 - Transportation Equipment Manufacturing per 13 CFR 121.201.**Glider Vehicle Production**

Year	Assembled	Sales (if different)
2014		
2013		
2012	PBI / Ex. 4	PBI / Ex. 4
2011		
2010		

Based on the information provided above, our maximum annual exempt glider vehicle production for this model year is _____.

Employees

Year	Quantity
Current	3
Current - 1	3
Current - 2	2
Current - 3	2

Ownership Structure

Owner	% Ownership
Ricky Shreiner	100

I attest that *Shreiner Trucking* is not affiliated with any other company.Please confirm that this request is acceptable and that
business exemption as a glider vehicle assembler. Thank you for your assistance.

has met all the requirements for the small

Signature of Company Official

Title

Date

Address / E-mail / Phone (if not printed on company letterhead)

Email: jphsmh@gmail.com

Delivery Report

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 3/19/2019 3:38:16 PM
To: mandp@hvc.rr.com
Subject: Read: EPA Glider Builder Notification Letter

Your message

To: Healy, Stephen
Subject: Re: EPA Glider Builder Notification Letter
Sent: 3/18/2019 7:11:47 PM

was read on 3/19/2019 3:37:25 PM

Message

Sent: 3/20/2019 11:40:28 AM
To: debbie.phair@paccar.com
CC: Duncan, Allen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5f4a476a56c342e7a2eed96115208ac-Duncan, All]; Manners, Mary [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ebdb1392504a4b71894970b1a7bb186c-Manners, Mary]; EPA Office of Transportation & Air Quality [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b41adeb2fe6f4305b95d70de89e19cd4-OTAQ]
Subject: RE: Your EPA Inquiry RE: Glider kits for class 7&8 trucks with electric engines

Debbie,

There is no regulation language that specifically addresses the installation of a fully electric powertrain into a glider truck. The glider regulations specifically address the installation of combustion engines into gliders and restrict the installation of older higher emitting engines. If the glider is being built with a fully electric powertrain (i.e. there is no combustion engine) then there is no restriction, so battery electric and hydrogen fuel cell electric powertrains can be installed without restriction.

Please contact me if you have further

-----Original Message-----

From: drupal_admin@epa.gov <drupal_admin@epa.gov> On Behalf Of Debbie Phair via EPA
Sent: Thursday, February 28, 2019 1:38 PM
To: EPA Office of Transportation & Air Quality <OTAQ@epa.gov>
Subject: Glider kits for class 7&8 trucks with electric engines

Subject: Glider kits for class 7&8 trucks with electric engines

Organization:

Name: Debbie Phair

Email Address: debbie.phair@paccar.com

Comments: What are the exemptions when it comes to glider kits and installing a electric engine. I can't find the regulation where it specificity both?

Message

Sent: 5/23/2019 2:38:56 PM
To: Benjamin Rice [ponderosahdtrucks@yahoo.com]
Subject: RE: Numbers

Ben,

You should send a new letter indicating 2021 model year. Also could you add the business addresses and contact information.

Thank you,

From: Benjamin Rice <ponderosahdtrucks@yahoo.com>
Sent: Thursday, May 23, 2019 10:29 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: Numbers

Good morning sir I was told I put the wrong year on this they said it needs to have 2021 do I fill out a new form or what?

thank you

Ben

On Wednesday, May 22, 2019, 02:26:27 PM EDT, Healy, Stephen <healy.stephen@epa.gov> wrote:

Ben,

Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Benjamin Rice <ponderosahdtrucks@yahoo.com>
Sent: Wednesday, May 22, 2019 12:47 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Fw: Numbers

Attached is the application for the glider approval we combined both Ponderosa An Ashland truck an Trailer. If you have any questions please let me know.

Thanks

Ben

----- Forwarded Message -----

From: Healy, Stephen <healy.stephen@epa.gov>

To: Benjamin Rice <ponderosahdtrucks@yahoo.com>

Sent: Thursday, May 16, 2019, 01:33:18 PM EDT

Subject: RE: Numbers

You should submit one letter that lists both Ponderosa Heavy Duty Trucks and Ashland Truck & Trailer and any other affiliated companies. The employee count should reflect the total for all the affiliated companies. You should list the total number of gliders assembled for the companies each year 2010 through 2014.

Please let me know if you have any questions.

Thank you,

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Benjamin Rice <ponderosahdtrucks@yahoo.com>
Sent: Thursday, May 16, 2019 10:19 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: Numbers

Yes would be combining Ponderosa Heavy Duty Trucks and Ashland Truck & Trailer

On Thursday, May 16, 2019 09:07:46 AM EDT, Healy, Stephen <healy.stephen@epa.gov> wrote:

Vickie,

Can you give me a little more detail? Are you referring to combining glider information for more than one business that have one owner?

Thank you,

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Benjamin Rice <ponderosahdtrucks@yahoo.com>
Sent: Thursday, May 16, 2019 8:26 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Numbers

Good Morning,

Ben wanted to know about combining numbers, Freightliner is requesting this. Could you please give me an update. We also need a new approval letter for 2020, how do we go about that.

Sincerely,

Vickie

Delivery Report

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 5/14/2019 6:51:32 PM
To: Chuck Kitchen [ckitchen@pgttrucking.com]
Subject: Read: Emailing: Exemption for Glider Vehicle Assenbly_000425.pdf

Your message

To: Healy, Stephen
Subject: FW: Emailing: Exemption for Glider Vehicle Assenbly_000425.pdf
Sent: 5/6/2019 4:36:11 PM

was read 5/14/2019
on 6:50:44
PM

Message

Sent: 5/16/2019 5:32:08 PM
To: Benjamin Rice [ponderosahdtrucks@yahoo.com]
Subject: RE: Numbers

You should submit one letter that lists both Ponderosa Heavy Duty Trucks and Ashland Truck & Trailer and any other affiliated companies. The employee count should reflect the total for all the affiliated companies. You should list the total number of gliders assembled for the companies each year

From: Benjamin Rice <ponderosahdtrucks@yahoo.com>
Sent: Thursday, May 16, 2019 10:19 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: Numbers

Yes would be combining Ponderosa Heavy Duty Trucks and Ashland Truck & Trailer

On Thursday, May 16, 2019 09:07:46 AM EDT, Healy, Stephen <healy.stephen@epa.gov> wrote:

Vickie,

Can you give me a little more detail? Are you referring to combining glider information for more than one business that have one owner?

Thank you,

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Benjamin Rice <ponderosahdtrucks@yahoo.com>
Sent: Thursday, May 16, 2019 8:26 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Numbers

Good Morning,

Ben wanted to know about combining numbers, Freightliner is requesting this. Could you please give me an update. We also need a new approval letter for 2020, how do we go about that.

Sincerely,

Vickie

Delivery Report

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 5/14/2019 5:57:03 PM
To: Chuck Kitchen [ckitchen@pgttrucking.com]
Subject: Read: Emailing: Exemption for Glider Vehicle Assenbly_000425.pdf

Your message

To: Healy, Stephen
Subject: RE: Emailing: Exemption for Glider Vehicle Assenbly_000425.pdf
Sent: 5/5/2019 9:09:22 PM

was read 5/14/2019
on 5:56:16
PM

Message

Sent: 5/22/2019 3:34:25 PM
To: Vhat [vhatinc@gmail.com]
Subject: RE: GLIDER COMPLIANCE REQUEST

Linda,

I have had to consult with EPA legal staff to determine Van Hauen Auto & Truck's status. The concern is that Van Hauen's built gliders for Harrison Truck Centers who then sold the gliders. Harrison Truck Centers included the gliders built by Van Hauen in their glider documentation.

From: Vhat <vhatinc@gmail.com>
Sent: Thursday, May 16, 2019 3:45 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: GLIDER COMPLIANCE REQUEST

STEPHEN
ANY WORD ON COMPLIANCE REQUEST?

LINDA RHOADES
vhatinc@gmail.com

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Wednesday, April 03, 2019 12:13 PM
To: Vhat
Subject: RE: GLIDER COMPLIANCE REQUEST

Linda,

Your letter needs to list the number of gliders assembled each individual year 2010 through 2014. Also indicate how many were sold or built for another company. What brand of glider(s) did VanHauen Auto& Truck assemble, Kenworth, Peterbilt, Freightliner or Western Star. Lastly the letter needs to be signed by a company official.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Vhat <vhatinc@gmail.com>
Sent: Thursday, March 28, 2019 12:58 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: GLIDER COMPLIANCE REQUEST

REQUESTING EPA QTAQ COMPLIANCE DIVISION
STAMPED AND DATED COPY OF THIS NOTIFICATION LETTER
Thank you

LINDA RHOADES

VANHAUEN AUTO & TRUCK
PO BOX 34
121 E KENWOOD ST
REINBECK, IA 50669
319-345-6615 PH.
319-345-9913 FAX
vhatinc@gmail.com

Message

Sent: 4/9/2019 6:50:40 PM
To: Melissa McCombs [mmccombs@huntertrucksales.com]
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Thursday, April 04, 2019 8:45 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Glider Assembler Exemption Qty: 2 Requests

Good morning, Mr. Healy.

Two of our companies would like to utilize the small business provision for glider kit assembler. I have attached separate letters for each company. If you need the email requests as two separate emails please let me know and I will resubmit the requests however you prefer to have them.

Once approved, please send the letters to my attention at the address listed below so I can forward the approval letters to our manufacturer. If you need anything else or have any questions, please do not hesitate to give Jeff Hunter or myself a call at the number below.

Thank you for your time and consideration.
Sincerely,

Melissa McCombs, MBA | Corporate Sales Associate
Hunter Truck | Corporate Office
480 Pittsburgh Road, Butler, PA 16002
W:724.586.5770 Ext 209 | F:724.586.5710
mmccombs@huntertrucksales.com
www.huntertruck.com
[To Send Me Documents Securely, Please Use This Link](#)

HUNTER TRUCK

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Delivery Report

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 5/15/2019 3:02:35 PM
To: Jeannie Delaney [jeannie@dieselpower-reman.com]
Subject: Read: 2019 request for small business exemption-glider kit

Your message

To: Healy, Stephen
Subject: RE: 2019 request for small business exemption-glider kit
Sent: 5/15/2019 2:47:35 PM

was read 5/15/2019
on 3:02:22
PM

Delivery Report

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 5/15/2019 2:42:36 PM
To: Jeannie Delaney [jeannie@dieselpower-reman.com]
Subject: Read: 2019 request for small business exemption-glider kit

Your message

To: Healy, Stephen
Subject: 2019 request for small business exemption-glider kit
Sent: 5/9/2019 1:47:24 PM

was read 5/15/2019
on 2:41:55
PM

Message

Sent: 5/14/2019 8:05:25 PM
To: paintersinc@frontiernet.net
CC: Kwhite@kwofpa.com
Subject: RE: Request for small business exeption as a glider vehicle assembler / Painters Garage Inc.

Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: paintersinc@frontiernet.net <paintersinc@frontiernet.net>
Sent: Wednesday, May 08, 2019 11:17 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: Kwhite@kwofpa.com
Subject: Request for small business exeption as a glider vehicle assembler / Painters Garage Inc.

Delivery Report

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 5/2/2019 5:09:59 PM
To: Chuck Kitchen [ckitchen@pgttrucking.com]
Subject: Read: Emailing: Exemption for Glider Vehicle Assenbly_000425.pdf

Your message

To: Healy, Stephen
Subject: RE: Emailing: Exemption for Glider Vehicle Assenbly_000425.pdf
Sent: 5/2/2019 3:41:51 PM

was read 5/2/2019
on 5:09:56
PM

Delivery Report

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 5/2/2019 5:02:58 PM
To: Chuck Kitchen [ckitchen@pgttrucking.com]
Subject: Read: Emailing: Exemption for Glider Vehicle Assenbly_000425.pdf

Your message

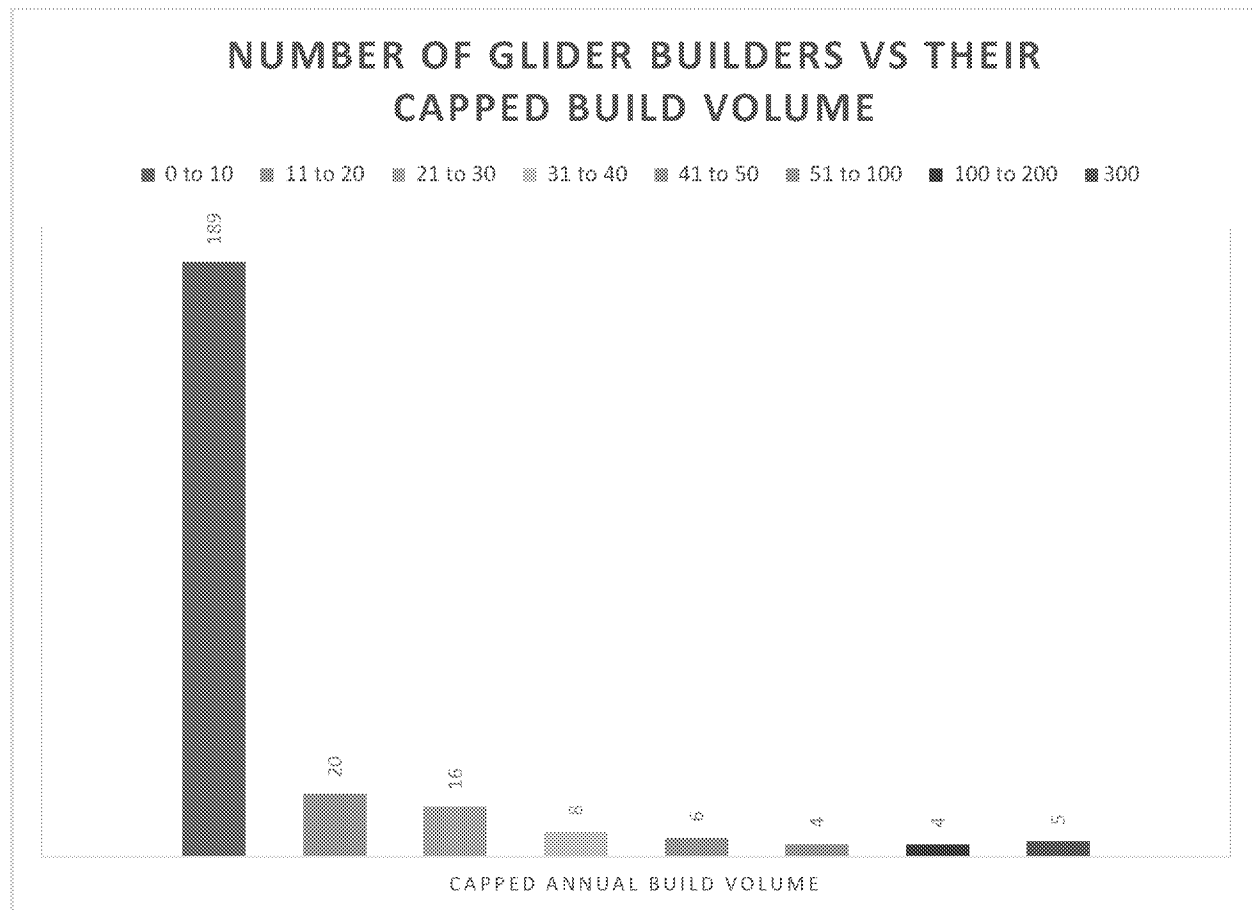
To: Healy, Stephen
Subject: RE: Emailing: Exemption for Glider Vehicle Assenbly_000425.pdf
Sent: 4/18/2019 6:31:19 PM

was read 5/2/2019
on 5:02:21
PM

Glider Builder Status

3/12/19

- Background:
 - EPA small business glider exemption regulations: 40 CFR 1037.150(t)
 - https://www.ecfr.gov/cgi-bin/text-idx?SID=b37b6feb273201a99154b99432814321&mc=true&node=pt40.36.1037&rgn=div5#se40.36.1037_1150
 - EPA Glider kit and glider vehicle regulations: 40 CFR 1037.635
 - https://www.ecfr.gov/cgi-bin/text-idx?SID=b37b6feb273201a99154b99432814321&mc=true&node=pt40.36.1037&rgn=div5#se40.36.1037_1635
 - Eligibility to qualify for the small business exemption:
 - Must be a small business – 1500 or fewer employees
 - Must have sold a glider vehicle in 2014
 - Must notify EPA annually of intent to build exempt gliders under 40 CFR 1037.150(t)
 - Small business exempt glider production volume limits:
 - 2017 – The maximum number of exempt gliders a qualifying small business may produce is equal to highest annual production gliders from 2010 to 2014
 - 2018 and beyond - The maximum number of gliders a qualifying small business may produce is 300 exempt gliders or the highest annual production gliders from 2010 to 2014, which ever is less
- Currently 252 qualifying small businesses have notified EPA of their intent to build excluded gliders
- 75% (189) are capped at 10 or less glider builds annually
- 5 small businesses are capped at 300 glider builds annually – the regulatory maximum regardless of prior build volumes
- The 2017 build cap sum of all builders was 8648
 - This represents the sum of the highest year's production for each builder 2010 through 2014.
- The 2018 build cap sum of all builders was 4296
 - This represents the sum of the highest year's production for each builder 2010 through 2014 or 300 if their highest volume year exceeded 300.
- Currently collecting actual build volumes for 2017 and 2018 as small businesses send in notifications for next year's builds.
 - 2017 running total at this point = 1062
 - 2018 running total at this point = 598



Message

Sent: 5/16/2018 3:44:39 PM
Subject: EPA Small Business Provisions For Glider Builders

EPA regulations allow small businesses to build gliders using older (pre-2010) engines under certain conditions and restrictions. First, the company must qualify as a small business according to the applicable regulations and they must have built gliders in the time period of 2010 through 2014 and sold at least one to another company or person in 2014. You would be limited in the number of gliders you can build per year to the maximum number you built in any single year 2010 through 2014. The regulations (40 CFR 1037.150(c)) require a small business to notify EPA that they intend to utilize the small business provisions. We ask small businesses to send us a letter of notification annually that includes a number of bits of information justifying that they qualify for the small business allowances. A short letter that contains the following information is all that is needed:

- A statement that your company meets the small business criteria listed in 40 CFR 1037.150 (c) and the small business criteria specified in 13 CFR 121.201. (Assuming this is true.) Currently the size threshold for Heavy Duty Truck Manufacturers is 1500 employees – this is what is listed for NAICS Code 336120. The total number of employees includes that of the company and its affiliates (see 13 CFR 121 link below).
- A statement that your company is solely owned by (owner's name) and if there are multiple owners state each owner and the percentage ownership for each. Also describe any affiliations with other companies or state that there are no affiliations – assuming that is true.
- State the number of employees for each of the past 3 years.
- State the number of gliders that your company has built each year 2010 through 2014.
- State the number of gliders sold to outside parties in 2014.
- Signed by the owner(s) or company official.

You should scan the signed letter and send the PDF file to me. I will then review it, stamp it and return it to you. You can use the wording I used above (just substitute in the actual company name) if that helps. You can then show the EPA reviewed letter to the truck manufacturer as proof you have notified the EPA.

For your reference here are a number links to regulations that are applicable:

40 CFR 1037.150 Interim Provisions – this covers the small business exclusion requirements (1037.150(c)) and the new interim glider requirements (1037.150(t)):

http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=7b7047abdd965bd6a1b219b7b036fad9&mc=true&n=pt40.36.1037&r=PART&ty=HTML#se40.36.1037_1150

40 CFR 1037.635 – Glider kits and glider vehicles:

http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=7b7047abdd965bd6a1b219b7b036fad9&mc=true&n=pt40.36.1037&r=PART&ty=HTML#se40.36.1037_1635

13 CFR Part 121

Small business general provisions: describes how to determine affiliations and determine employee count:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=266ad73e48d34146461d5b3cc2a0d1ab&mc=true&node=sg13.1.121.a.sg0&rgn=div7>

Size standards for small business:

http://www.ecfr.gov/cgi-bin/text-idx?SID=266ad73e48d34146461d5b3cc2a0d1ab&mc=true&node=se13.1.121_1201&rgn=div8

Please give me a call if you have further questions.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

Message

From: Jim Dilauro [JimDilauro@freightlinerofhartford.com]
Sent: 6/5/2018 6:05:33 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: EPA Compliance - Freightliner of Hartford
Attachments: ATT00001.txt; EPAComplianceLetterJun18.pdf

Good Afternoon Mr. Healy,

I attached our letter of compliance required for gliders in 2019. Please review and approve when you have the opportunity

Thank you,

Jim Dilauro



222 Roberts Street
East Hartford, CT 06108
Phone: 860-610-6205
Fax: 860-610-6243
www.freightlinerofhartford.com



Freightliner of Hartford, Inc.



222 Roberts Street
 East Hartford, CT 06108
 860/289-0201 • Fax: 860/528-1691
 Web Site: www.freightlinerofhartford.com

06/05/2018

ENVIRONMENTAL PROTECTION AGENCY

OTAQ COMPLIANCE DIVISION

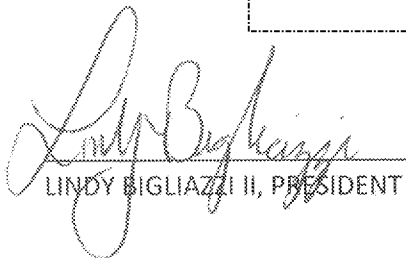
ATTN: STEPHEN HEALY

TO WHOM IT MAY CONCERN,

FREIGHTLINER OF HARTFORD, INC. IS SUBMITTING A WRITTEN REQUEST TO DAIMLER TRUCKS NORTH AMERICA WITH OUR INTENT TO PURCHASE GLIDER KITS IN 2019. IN CONJUNCTION WITH THIS REQUEST, WE ARE PROVIDING YOU NOTICE OF OUR COMPLIANCE WITH THE FOLLOWING STATEMENTS.

- 1) FREIGHTLINER OF HARTFORD, INC. MEETS THE SMALL BUSINESS CRITERIA LISTED IN 40 CFR 1037.150 (c) AND THE SMALL BUSINESS CRITERIA SPECIFIED IN 13 CFR 121.201
- 2) FREIGHTLINER OF HARTFORD, INC. IS SOLELY OWNED BY KENNETH D. WILSON (50% OWNERSHIP) AND LINDY BIGLIAZZI II (50% OWNERSHIP). THERE ARE NO AFFILIATIONS.
- 3) THE EMPLOYEE COUNTS FOR FREIGHTLINER OF HARTFORD, INC. OVER THE LAST THREE YEARS ARE:
 - a. 2015 – 82 EMPLOYEES
 - b. 2016 – 90 EMPLOYEES
 - c. 2017 – 97 EMPLOYEES
- 4) FREIGHTLINER OF HARTFORD, INC. BUILT THE FOLLOWING NUMBER OF GLIDERS FROM 2010-2014

a. 2010	PBI / Ex. 4
b. 2011	
c. 2012	
d. 2013	
e. 2014	


 LINDY BIGLIAZZI II, PRESIDENT 6/5/18
 DATE


 KENNETH WILSON, VICE-PRES. 6-5-18
 DATE

Message

From: Mary Ann Hogan [maryann.hogan@csctruck.com]
Sent: 6/5/2018 5:59:40 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: Re: QUALITY TECH MOBILE SERVICES LLC
Attachments: QUALITY TECH MOBILE SERVICES LLC TO EPA 6 5 18 corrected.pdf

Please see corrected, attached request

Thank You

Mary Ann Hogan | Michigan Kenworth - Grand Rapids | Administrative Assistant | 616.281.8610 | maryann.hogan@csctruck.com | www.michigankenworth.com

On Tue, Jun 5, 2018 at 12:58 PM, Healy, Stephen <healy.stephen@epa.gov> wrote:

Mary Ann,

Quality Tech Mobile Services needs to add their address and contact information to the letter. They also need disclose the number of gliders they sold to or built for outside companies in 2014.

Thank you,

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Mary Ann Hogan [mailto:maryann.hogan@csctruck.com]
Sent: Tuesday, June 05, 2018 10:10 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: QUALITY TECH MOBILE SERVICES LLC

Good Morning Stephen,

Please process for customer

Thank You

Mary Ann

Mary Ann Hogan | Michigan Kenworth - Grand Rapids | Administrative Assistant | 616.281.8610 |
maryann.hogan@csctruck.com | www.michigankenworth.com

QUALITY TECH MOBILE SERVICES LLC
6083 133RD AVE
SAUGATUK MI 49453
ph 616-291-2756

Stephen Healy
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
Healy.Stephen@epa.gov

Re: Model Year 2019 Request for Small Business Exemption as a Glider Vehicle Assembler

Qualitytech Mobile Service certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	
2013		
2012		
2011		
2010		

Employees

Year	Quantity
Current	<u>3</u>
Current – 1	<u>3</u>
Current – 2	<u>3</u>
Current – 3	<u>3</u>

Ownership Structure

Owner	% Ownership
<u>Wes Scott</u>	<u>100%</u>

Please confirm that this request is acceptable and that Qualitytech Mobile Service LLC has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.

MHA
 Signature of Company Official

Owner
 Title

4-11-18
 Date

Message

From: Eddie Herring [Eherring@herringmotor.com]
Sent: 6/13/2018 4:42:53 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
Subject: RE: 2019 glider assemblers
Attachments: ATT00001.txt; EPA Letter.pdf

Good Afternoon

Here is the updated letter with updated employee numbers on it.
Please let me know if you need anything else.
Thanks again for your help.

Eddie Herring
JE Herring Motor Co
286 Neilan Road
Somerset Pa 15501
1-800-356-6199

From: Healy, Stephen [mailto:healy.stephen@epa.gov]
Sent: Wednesday, June 13, 2018 11:20 AM
To: Eddie Herring <Eherring@herringmotor.com>
Subject: RE: 2019 glider assemblers

Eddie,
The regulation points to an annual notification. All you need to do is update the employment numbers and model year then email it to me as you did before.

Please let me know if you have further questions.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Eddie Herring [mailto:Eherring@herringmotor.com]
Sent: Monday, June 11, 2018 7:54 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: Eddie Herring <Eherring@herringmotor.com>
Subject: FW: 2019 glider assemblers

Good Morning

I was checking into what I need to do to get an Updated EPA letter for 2019 Glider Kit assembler?

Also will this be something we will have to update on a yearly basis and does it follow the model year of the truck or how do you determine when everything needs updated?

Thanks

Eddie Herring
JE Herring Motor Co
286 Neilan Road
Somerset Pa 15501
1-800-356-6199

From: James DiAndreth [<mailto:jdiandreth@fydafreightliner.com>]

Sent: Thursday, June 07, 2018 2:19 PM

To: Eddie Herring <Eherring@herringmotor.com>

Subject: 2019 glider assemblers

Hi Eddie,

Western Star glider kits are sold out for 2018, and Freightliner glider kits are not far behind. Any glider kits ordered now have to have the 2019 WRITTEN REQUEST AND CERTIFICATION FOR PURCHASE OF GLIDER KIT. The It is the same as the 2018 forms with just a few minor changes

I don't know how you will apply for the 2019 glider kit final assembler, you may want to check with the same people you got certified for 2018.

I am still working with Kevin Deem and Nick Kite at G C Mulch and they may fall into the 2019 year.

Please let me know what you find out on your end

Thank you,

Jim DiAndreth

Glider Kit Sales/Used Trucks

Fyda Freightliner Pittsburgh, Inc.

20 Fyda Drive

Canonsburg, PA 15317

(724) 514-2055 - Office

(724) 986-7763 - Cell

(724) 514-2065 – Fax

jdiandreth@fydafreightliner.com

www.fydafreightliner.com

J. E. HERRING MOTOR COMPANY

286 Neilan Road, Route 31 West • Somerset, PA 15501 • 814/445-4577

Re: Model Year 2019 Request for Small Business Exemption as a Glider Vehicle Assembler

JE Herring Motor CO certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	
2013		
2012		
2011		
2010		

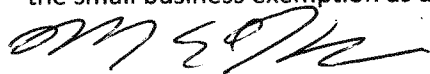
Employees

Year	Quantity
Current	42
Current – 1	51
Current – 2	52
Current – 3	51

Ownership Structure

Owner	% Ownership
Walter E Herring	34%
Patricia A Herring	17 %
Patrick E Herring	24.5 %
Matthew E Herring	24.5 %

Please confirm that this request is acceptable and that JE Herring Motor CO has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.



Matthew E Herring

Service Manager

June 13 2018

Signature of Company Official

Title

Date

Message

From: Zack Atkins **Personal Address / Ex. 6**
Sent: 8/29/2018 9:27:18 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
CC: allan.wainscott@tmcat.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Thanks for your help.

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Peterbilt**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Wednesday, August 29, 2018 7:47 AM
To: Zack Atkins **Personal Address / Ex. 6**
Cc: allan.wainscott@tmcat.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zack

Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy

Mechanical Engineer

EPA OTAQ Compliance Division

Diesel Engine Compliance Center

734--214-4121

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Wednesday, August 29, 2018 7:59 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: allan.wainscott@tmcat.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Mr. Healy:

Per your request, attached is a copy of Thompson's MY 2020 request on letterhead. Please note that the employment figure listed for 2018 in the first table has been corrected. The previous request showed 658 employees for 2018, whereas this new request shows 619 employees. If you have any questions about the change, Mr. Wainscott can address it.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Peterbilt**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Monday, August 27, 2018 2:29 PM
To: Zack Atkins **Personal Address / Ex. 6**
Cc: allan.wainscott@tmcat.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zach,

Can you please have this letter placed on Thompson Truck Centers letterhead or show the company name, address and phone at the top of the letter?

Thank you,

From: Zack Atkins **Personal Address / Ex. 6**

Sent: Friday, August 24, 2018 5:24 PM

To: Healy, Stephen <healy.stephen@epa.gov>

Cc: allan.wainscott@tmcat.com

Subject: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

For MY2020, Thompson Machinery Commerce Corporation expects to order glider kits through our Fitzgerald Peterbilt dealerships. Mr. Wainscott, Thompson's general sales manager, is copied on this e-mail.

Attached please find Thompson's MY2020 request for small business exemption as a glider vehicle assembler under 40 C.F.R. 1037.150. Once you have reviewed Thompson's request, please e-mail a stamped copy to the two of us so that we can place Thompson's orders.

Appreciate your help.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Peterbilt**



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 8/29/2018 12:46:51 PM
To: 'Zack Atkins' [Personal Address / Ex. 6]
CC: 'allan.wainscott@tmcatt.com' [allan.wainscott@tmcatt.com]
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption
Attachments: 2020 Thompson Truck Centers Small Business.pdf

Zack

Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Zack Atkins [Personal Address / Ex. 6]
Sent: Wednesday, August 29, 2018 7:59 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: allan.wainscott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Mr. Healy:

Per your request, attached is a copy of Thompson's MY 2020 request on letterhead. Please note that the employment figure listed for 2018 in the first table has been corrected. The previous request showed 658 employees for 2018, whereas this new request shows 619 employees. If you have any questions about the change, Mr. Wainscott can address it.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | Fitzgerald Peterbilt
575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Monday, August 27, 2018 2:29 PM
To: Zack Atkins [Personal Address / Ex. 6]
Cc: allan.wainscott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zach,

Can you please have this letter placed on Thompson Truck Centers letterhead or show the company name, address and phone at the top of the letter?

Thank you,

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Friday, August 24, 2018 5:24 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: allan.wainscott@tmcatt.com
Subject: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

For MY2020, Thompson Machinery Commerce Corporation expects to order glider kits through our Fitzgerald Peterbilt dealerships. Mr. Wainscott, Thompson's general sales manager, is copied on this e-mail.

Attached please find Thompson's MY2020 request for small business exemption as a glider vehicle assembler under 40 C.F.R. 1037.150. Once you have reviewed Thompson's request, please e-mail a stamped copy to the two of us so that we can place Thompson's orders.

Appreciate your help.

Thanks,

Zack

Zachary T. Atkins
Deputy General Counsel | Fitzgerald Peterbilt

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Zack Atkins [Personal Address / Ex. 6]
Sent: 8/28/2018 6:24:46 PM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
CC: allan.waincott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption
Attachments: ATT00001.txt

Stephen:

We will take care of it and send you a new letter.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | Fitzgerald Peterbilt

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Monday, August 27, 2018 2:29 PM
To: Zack Atkins [Personal Address / Ex. 6]
Cc: allan.waincott@tmcatt.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zach,
Can you please have this letter placed on Thompson Truck Centers letterhead or show the company name, address and phone at the top of the letter?

Thank you,

From: Zack Atkins [Personal Address / Ex. 6]
Sent: Friday, August 24, 2018 5:24 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: allan.waincott@tmcatt.com
Subject: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

For MY2020, Thompson Machinery Commerce Corporation expects to order glider kits through our Fitzgerald Peterbilt dealerships. Mr. Waincott, Thompson's general sales manager, is copied on this e-mail.

Attached please find Thompson's MY2020 request for small business exemption as a glider vehicle assembler under 40 C.F.R. 1037.150. Once you have reviewed Thompson's request, please e-mail a stamped copy to the two of us so that we can place Thompson's orders.

Appreciate your help.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | Fitzgerald Peterbilt

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Zack Atkins **Personal Address / Ex. 6**
Sent: 8/29/2018 11:58:46 AM
To: Healy, Stephen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d1638b0a30364c7d98ea7af410a9cb2a-Healy, Stephen]
CC: allan.wainscott@tmcat.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption
Attachments: ATT00001.txt; doc03664220180828160213.pdf

Mr. Healy:

Per your request, attached is a copy of Thompson's MY 2020 request on letterhead. Please note that the employment figure listed for 2018 in the first table has been corrected. The previous request showed 658 employees for 2018, whereas this new request shows 619 employees. If you have any questions about the change, Mr. Wainscott can address it.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Peterbilt**

575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

From: Healy, Stephen <healy.stephen@epa.gov>
Sent: Monday, August 27, 2018 2:29 PM
To: Zack Atkins **Personal Address / Ex. 6**
Cc: allan.wainscott@tmcat.com
Subject: RE: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Zach,

Can you please have this letter placed on Thompson Truck Centers letterhead or show the company name, address and phone at the top of the letter?

Thank you,

From: Zack Atkins **Personal Address / Ex. 6**
Sent: Friday, August 24, 2018 5:24 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: allan.wainscott@tmcat.com
Subject: Thompson Machinery Commerce Corp -- MY2020 Request for Small Business Exemption

Good Afternoon, Mr. Healy:

For MY2020, Thompson Machinery Commerce Corporation expects to order glider kits through our Fitzgerald Peterbilt dealerships. Mr. Wainscott, Thompson's general sales manager, is copied on this e-mail.

Attached please find Thompson's MY2020 request for small business exemption as a glider vehicle assembler under 40 C.F.R. 1037.150. Once you have reviewed Thompson's request, please e-mail a stamped copy to the two of us so that we can place Thompson's orders.

Appreciate your help.

Thanks,

Zack

Zachary T. Atkins

Deputy General Counsel | **Fitzgerald Peterbilt**



575 Technology Drive, Sparta, TN 38583

Personal Address / Ex. 6

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 1/30/2019 6:47:45 PM
To: Rodney Stoltzfus [rstoltzfus@huntertrucksales.com]
Subject: RE: '20 Glider Forms
Attachments: 2021 ERM Small Business.pdf

Rodney,
 Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
 Mechanical Engineer
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
 734--214-4121

-----Original Message-----

From: Rodney Stoltzfus <rstoltzfus@huntertrucksales.com>
 Sent: Saturday, January 26, 2019 8:17 AM
 To: Healy, Stephen <healy.stephen@epa.gov>; Deborah.Rogstad@PACCAR.com
 Subject: FW: '20 Glider Forms

See attached form for 2020/2021 glider.

Thanks!

Rodney Stoltzfus | Truck Sales Representative Hunter Truck | Lancaster
 1463 Manheim Pike, Lancaster PA 17601
 W: 717.299.6630 ext 204 | F: 717.293.9670
 Cell: 717.327.1288
 rstoltzfus@huntertrucksales.com
 www.huntertruck.com

-----Original Message-----

From: JR Martin [mailto:jrmartin@earlrmartin.com]
 Sent: Friday, January 25, 2019 2:42 PM
 To: 'Rod Stoltzfus (rstoltzfus@huntertrucksales.com)'
 Subject: '20 Glider Forms

Rod,

Attached are the forms as discussed. To clarify, I did NOT send to EPA and will let you handle that.

As info, I will be out on vacation next week, but will be monitoring emails in the evening. Let me know if you need anything further.

Thanks and have a great weekend!

Earl R Martin, Jr
 President
 (717) 354-4061 x120

[ERM Logo www_nbg2]<<http://earlrmartin.com/>>
 EARL R. MARTIN, INC.
 PO Box 67
 East Earl, PA 17519



Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
Healy.Stephen@epa.gov

RECEIVED

DATE: 1/30/19

Re: Model Year 2021 / Calendar Year 2020 Request for Small Business Exemption as a Glider Vehicle Assembler

Earl R Martin Inc. certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	
2013		
2012		
2011		
2010		

Based on the information provided above, our maximum annual exempt glider vehicle production for this model year is _____.

Employees

Year	Quantity
Current	52
Current – 1	
Current – 2	
Current – 3	

Ownership Structure

Owner	% Ownership
Earl R Martin Jr	92%
Earl R Martin Sr	8%

I attest that *Earl R Martin Inc.* is not affiliated with any other company.

Please confirm that this request is acceptable and that *Earl R Martin Inc. PO Box 67 East Earl Pa. 17519* has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.

Earl R Martin Jr
Signature of Company Official

President
Title *JR Martin @ Earl R Martin Inc.*
Date 1/25/19

PACCAR Glider Vehicle Assembler Certification

Enter Company Name

Earl R Martin Inc

(hereinafter referred to as "Glider Vehicle Assembler") certifies to PACCAR Inc the information requested herein to assure compliance with 40 CFR 1037.635 and 1037.150 with respect to glider vehicles produced on or after January 1, 2018 from glider kits purchased from PACCAR Inc's Kenworth and Peterbilt divisions.

Glider Vehicle Assembler will complete the assembly of all designated glider kits provided by a division of PACCAR Inc by installing all missing components to complete the assembly of the glider vehicle. This could include, but would not be limited to, the engine, transmission, rear axle(s), and exhaust components.

Glider Vehicle Assembler certifies that each engine (including remanufactured engines) installed in a completed glider vehicle utilizing a designated glider kit will be installed in a certified configuration and properly labeled for the original engine model year in accordance with 40 CFR 1037.635(d).

Volume Limitations Certification

Pursuant to 40 CFR 1037.150(t)(1), for calendar year 2018 through calendar year 2020, you may produce a limited number of exempt glider vehicles. The limit applies to the quantity of your combined yearly production of vehicles from all vehicle OEM glider kits, and is equal to your highest annual production of glider vehicles in any calendar year between 2010 to 2014, up to a maximum of 300. Glider vehicles you produce in excess of this limit must comply with 40 CFR 1037.635, which includes delegated assembly, and requires the engine installed to be a post-2010 emissions engine.

Glider Vehicle Assembler certifies that its highest annual production of glider vehicles between 2010 through 2014 for sale or use in the United States was: Enter Volume PBI / Ex. 4 in Year Circle One **PBI / Ex. 4**

Glider Vehicle Assembler certifies that it sold at least one glider vehicle in calendar year 2014. Initial Here ERM

Small Manufacturer Status Certification

Glider Vehicle Assembler certifies that it will be producing/assembling the requested exempt glider kits for sale or use in the United States. Glider Vehicle Assembler meets the criteria referenced in 40 CFR 1037.150(c) and found in 13 CFR 121.201 for a small business. As such, the Glider Vehicle Assembler notified the Designated Compliance Officer of the U.S. EPA of its small business status for vehicle model year: Enter Model Year 2020

A copy of this reviewed and accepted notification is attached with this request. Initial Here ERM

Record Keeping and Reporting

Glider Vehicle Assembler will be responsible for maintaining records of all glider vehicles they produce/assemble beginning in calendar year 2017. U.S. EPA may require reporting 2010 through 2014 volumes as well as current year produced/assembled glider vehicle volume as an end-of-year report.

Compliance Requirements

Glider Vehicle Assembler acknowledges its understanding that the following are all violations of the Clean Air Act under 40 CFR 1068.101 and/or 1068.105, and subject to EPA enforcement and penalties outlined in §1068.101(b)(1):

- (1) Introducing vehicles into commerce in an uncertified configuration;
- (2) Failure to follow OEM instructions or otherwise make unauthorized changes;
- (3) Failure to keep records, send reports, or give EPA information as required under this part or the Clean Air Act; and
- (4) Exceeding vehicle volume limitations per 40 CFR 1037.150(t)(1) and not complying with 1037.635.

Instructions: E-mail the completed and signed form to PB.GHG.Sales.Plan.Management@PACCAR.com. Any questions may be sent to the same address.

Glider Assembler (all fields required):			
By: <u>ERM</u>		<u>Earl R Martin Inc</u>	
Signature		Company Name	
Printed Name:	<u>Earl R Martin Jr</u>	Address:	<u>PO Box 67</u>
Title:	<u>President</u>		<u>East Earl PA 17519</u>
Email:	<u>JRMartin@EarlRMartin.com</u>		
Phone:	<u>717-354-4061 x120</u>	Date:	<u>1/25/19</u>

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 2/20/2019 4:01:26 PM
To: jphalliday [Personal Address / Ex. 6]
Subject: RE: Glider form
Attachments: 2020 John P Halliday Trucking Inc Small Business.pdf

Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
 Mechanical Engineer
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
 734--214-4121

From: jphalliday [Personal Address / Ex. 6]
Sent: Wednesday, February 20, 2019 10:09 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: Glider form

Good morning. [PBI / Ex. 4]

Sent from my iPhone

On Feb 20, 2019, at 9:54 AM, Healy, Stephen <healy.stephen@epa.gov> wrote:

How many gliders did you build in 2017 and how many in 2018? The reason I'm asking is that the EPA regulations have a requirement that you report annually how many gliders you built under this exemption.

Thank you,

Stephen Healy
 Mechanical Engineer
 EPA OTAQ Compliance Division
 Diesel Engine Compliance Center
 734--214-4121

From: jphalliday [Personal Address / Ex. 6]
Sent: Tuesday, February 19, 2019 2:31 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Glider form

<image001.jpg>

Sent from my iPhone

JOHN P. HALLIDAY TRUCKING INC

Ashley, Pa

Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
Healy.stephen@epa.gov

RECEIVED

DATE: 2/20/19

RE: MODEL YEAR 2010 Request for Small Business Exemption as a Glider
Vehicle Assembler

John P Halliday Trucking Inc Certifies that it qualifies as a small business per 13 CFR 1231 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

YEAR	Assembled	Sales (if different)
2014	PBI / Ex. 4	
2013		
2012		
2011		
2010		

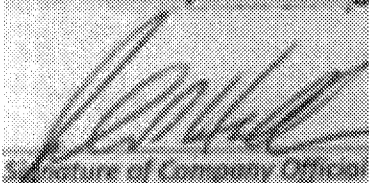
Employees

YEAR	Quantity
Current	18
Current – 1	18
Current – 2	16
Current – 3	16

Ownership Structure

Owner	% Ownership
John P. Halliday	100%

Please confirm that this request is acceptable and that JOHN P HALLIDAY TRUCKING INC has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.



Signature of Company Official



Title

2-19-19

Date

Healy, Stephen

From: jphalliday [Personal Address / Ex. 6]
Sent: Wednesday, February 20, 2019 10:09 AM
To: Healy, Stephen
Subject: Re: Glider form

Good morning.

PBI / Ex. 4

Sent from my iPhone

On Feb 20, 2019, at 9:54 AM, Healy, Stephen <healy.stephen@epa.gov> wrote:

How many gliders did you build in 2017 and how many in 2018? The reason I'm asking is that the EPA regulations have a requirement that you report annually how many gliders you built under this exemption.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: jphalliday [Personal Address / Ex. 6]
Sent: Tuesday, February 19, 2019 2:31 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Glider form

<image001.jpg>

Sent from my iPhone

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 4/26/2019 1:36:45 PM
To: Melissa McCombs [mmccombs@huntertrucksales.com]
Subject: RE: Glider Assembler Exemption Qty: 2 Requests
Attachments: 2020 Hunter Keystone Peterbilt Small Business.pdf; 2020 Hunter Truck Sales and Service Small Business.pdf

Melissa,
Please find the attached EPA small business notification letters stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Wednesday, April 24, 2019 3:56 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

I completely understand you being busy Mr. Healy. Thank you for responding back to me the same day. I appreciate it very much!

I have attached the corrections for you. Hopefully, the third time is a charm. I appreciate your patience and your guidance.

Have a great day!

Thank you!
Melissa McCombs
mmccombs@huntertrucksales.com

From: Healy, Stephen [mailto:healy.stephen@epa.gov]
Sent: Wednesday, April 24, 2019 2:31 PM
To: Melissa McCombs
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,
Sorry, but I have been very busy lately. I do have an additional question/request. The letter for Hunter Truck Sales & Service lists the model for the request as 2013 and the Hunter Keystone Peterbilt letter list model year 2012. I would think these both should be for 2020 or 2021. Please correct as necessary.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Wednesday, April 24, 2019 10:20 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: FW: Glider Assembler Exemption Qty: 2 Requests

Good morning Mr. Healy,
I hope this finds you well. I have been asked to check on the status of our requests. I left you a voicemail as well. If you would please get back to me at your earliest convenience, I would appreciate it.
Thank you!

Thank you!
Melissa McCombs
mmccombs@huntertrucksales.com

From: Melissa McCombs [<mailto:mmccombs@huntertrucksales.com>]
Sent: Tuesday, April 16, 2019 11:42 AM
To: 'Healy, Stephen'
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Good morning Mr. Healy,
Attached are the revised letters for each company. If you would please take a look at them, I would appreciate it. I think we have everything covered this time. Please let me know if there is anything else you need from me. I appreciate your patience.

Melissa McCombs, MBA | Corporate Sales Associate
Hunter Truck | Corporate Office
480 Pittsburgh Road, Butler, PA 16002
W:724.586.5770 Ext 209 | F:724.586.5710
mmccombs@huntertrucksales.com
www.huntertruck.com
To Send Me Documents Securely, Please Use This Link

HUNTER TRUCK

Our Mission: To build long-term relationships by providing an unparalleled commitment to personalized service, parts and sales — all reflected in the value, integrity and teamwork that has become synonymous with Hunter Truck for over 80 years.

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From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Friday, April 12, 2019 10:54 AM
To: Melissa McCombs
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,

Please send a one letter for each company. The employee count on each letter should reflect the total count for that company plus all affiliated companies as required by the Small Business regulations. You should also state that the glider volumes represent assembled gliders assuming that this is true.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Wednesday, April 10, 2019 2:30 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Cc: 'Jack Lewis' <jlewis@huntertrucksales.com>
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Hello Mr. Healy,
I think I have a better understanding of the affiliations now. In response to your questions, please see the responses below highlighted in yellow. If you need more information or need me to combine everything into one letter, please let me know.

Thank you!
Melissa McCombs
mmccombs@huntertrucksales.com

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Wednesday, April 10, 2019 1:40 PM
To: Melissa McCombs
Subject: RE: Glider Assembler Exemption Qty: 2 Requests

Melissa,
I have a few questions and comments regarding these letters

- Do these two letters represent the entire glider production for Hunter affiliated companies?
 - Yes, because we have two separate EIN's I thought you would need separate letters. Added together, they represent the total number of assembled kits from all of our affiliates.
- The letters both state glider volumes in terms of kit sales. Do these numbers represent only kit sales or assembled gliders?
 - This represents assembled gliders only.
- Can you describe or explain all of the corporate affiliations that are part of or connected to Hunter Truck?
 - Hunter Keystone Peterbilt, L.P.
 - All affiliates listed on this letter are registered DBA's of Hunter Keystone Peterbilt, L.P.
 - Hunter Keystone Peterbilt, L.P. dba Hunter Truck
 - Hunter Keystone Peterbilt, L.P. dba Hunter Jersey Peterbilt
 - Hunter Keystone Peterbilt, L.P. dba Hunter Truck Sales & Service
 - Hunter Keystone Peterbilt, L.P. dba Hunter Pocono Peterbilt
 - Hunter Truck Sales & Service, Inc.
 - All affiliates listed on this letter are registered DBS's of Hunter Truck Sales & Service, Inc
 - Hunter Truck Sales & Service, Inc. dba Hunter Truck

- The employee counts must include the number of employees of that entity plus all affiliated company employees.
 - Added together, they represent the total number of employees from all of our affiliates

For your reference here is a link to the small business regulation sections for affiliation and calculating number of employees:

§121.103 How does SBA determine affiliation?

https://www.ecfr.gov/cgi-bin/text-idx?SID=4b1417a271a70f9d59933ebb4b7ce7d9&mc=true&node=se13.1.121_1103&rgn=div8

§121.106 How does SBA calculate number of employees?

https://www.ecfr.gov/cgi-bin/text-idx?SID=4b1417a271a70f9d59933ebb4b7ce7d9&mc=true&node=se13.1.121_1106&rgn=div8

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Melissa McCombs <mmccombs@huntertrucksales.com>
Sent: Thursday, April 04, 2019 8:45 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Glider Assembler Exemption Qty: 2 Requests

Good morning, Mr. Healy.

Two of our companies would like to utilize the small business provision for glider kit assembler. I have attached separate letters for each company. If you need the email requests as two separate emails please let me know and I will resubmit the requests however you prefer to have them.

Once approved, please send the letters to my attention at the address listed below so I can forward the approval letters to our manufacturer. If you need anything else or have any questions, please do not hesitate to give Jeff Hunter or myself a call at the number below.

Thank you for your time and consideration.
Sincerely,

Melissa McCombs, MBA | Corporate Sales Associate
Hunter Truck | Corporate Office
480 Pittsburgh Road, Butler, PA 16002
W:724.586.5770 Ext 209 | F:724.586.5710
mmccombs@huntertrucksales.com
www.huntertruck.com
[To Send Me Documents Securely, Please Use This Link](#)

HUNTER TRUCK

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This message and any attachments are intended only for the person to whom it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

HUNTER TRUCK

CORPORATE

April 16, 2019

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Officer
(734) 214-4121
Healy.stephen@epa.gov

RECEIVED

DATE: 4/26/19 

Dear Mr. Healy,

Please accept this notification on behalf of Hunter Keystone Peterbilt, L.P. and all of its listed affiliates to utilize the small business provisions. Our company meets the small business criteria listed in 40 CFR 1037.50(c) and the small business criteria specified in CFR 121.201 for the Glider assembler as per 13 CFR §121. The glider assembler is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR §121.201

The Ownership Structure

- Jeffrey A Hunter, Partner, 24.5% Ownership
- David J Hunter, Partner, 24.5% Ownership
- William J Hunter, Partner, 24.5% Ownership
- Nancy H Mycka, Partner, 24.5% Ownership
- Hunter Keystone Peterbilt, Inc. (General Partner) 2% Ownership
 - Jeffrey A Hunter, President, 25% Ownership of General Partnership
 - David J Hunter, Vice President, 25% Ownership of General Partnership
 - Nancy H Mycka, Vice President, 25% Ownership of General Partnership
 - William J Hunter, Secretary/Treasurer, 25% Ownership of General Partnership

Affiliates

DBA's

- Hunter Keystone Peterbilt, L.P. dba Hunter Truck
- Hunter Keystone Peterbilt, L.P. dba Hunter Jersey Peterbilt
- Hunter Keystone Peterbilt, L.P. dba Hunter Buffalo Peterbilt
- Hunter Keystone Peterbilt, L.P. dba Hunter Truck Sales & Service
- Hunter Keystone Peterbilt, L.P. dba Hunter Pocono Peterbilt

Affiliated by Common Ownership

- Hunter Truck Sales & Service, Inc.
- Hunter Truck Sales & Service, Inc. dba Hunter Truck

Current Number of Employees (Encompasses all Affiliates)

814

Number of Employees for the Last Three Years (Encompasses all Affiliates)

2016: 861

2017: 817

2018: 806

Assembled Gliders Sold for 2010 – 2014

2010:

2011:

2012:

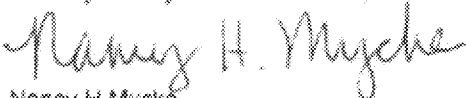
2013:

2014:

PBI / Ex. 4

The Model Year for Exclusion Request: 2020

Thank you for your consideration,



Nancy H Mycka
Executive Vice President

HUNTER TRUCK
CORPORATE

April 24, 2019

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Officer
(734) 214-4121
Healy.stephen@epa.gov

RECEIVED

DATE: 4/24/19

Dear Mr. Healy,

Please accept this notification on behalf of Hunter Truck Sales & Service, Inc. and all of its listed affiliates to utilize the small business provisions. Our company meets the small business criteria listed in 40 CFR 1037.50(c) and the small business criteria specified in CFR 121.201 for the Glider assembler as per 13 CFR §121. The glider assembler is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR §121.201

The Ownership Structure

Jeffrey A Hunter, President, 25% Ownership
David J Hunter, Vice President, 25% Ownership
Nancy H Mycka, Vice President, 25% Ownership
William J Hunter, Secretary/Treasurer, 25% Ownership

Affiliates**DBA's**

- Hunter Truck

Affiliated by Common Ownership

- Hunter Keystone Peterbilt, L.P. dba Hunter Truck
- Hunter Keystone Peterbilt, L.P. dba Hunter Jersey Peterbilt
- Hunter Keystone Peterbilt, L.P. dba Hunter Buffalo Peterbilt
- Hunter Keystone Peterbilt, L.P. dba Hunter Truck Sales & Service
- Hunter Keystone Peterbilt, L.P. dba Hunter Pocono Peterbilt

Current Number of Employees (Encompasses all Affiliates)

814

Number of Employees for the Last Three Years (Encompasses all Affiliates)

2016: 861
2017: 817
2018: 808

Assembled Gliders Sold for 2010 – 2014

2010:
2011:
2012:
2013:
2014:

PBI / Ex. 4

The Model Year for Exclusion Request: 2020

Thank you for your consideration,



Nancy H Mycka
Executive Vice President

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 1/30/2019 6:46:27 PM
To: Flahart Transport [flaharttransport752@gmail.com]
Subject: RE: 2021 Glider assembler form
Attachments: 2021 Flahart Transport Inc Small Business.pdf

Carol,
Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Flahart Transport <flaharttransport752@gmail.com>
Sent: Friday, January 25, 2019 1:37 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: 2021 Glider assembler form

Attached please find the 2021 form which needs approved.

Thank you!

Carol Young

--

Flahart Transport Inc.
P(717)548-0282 F(717)548-0289

RECEIVED

DATE: 1/30/19

Stephen Healy
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
Healy.Stephen@epa.gov

Re: Model Year 2021 / Calendar Year 2020 Request for Small Business Exemption as a Glider Vehicle Assembler

Flahart Transport certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	
2013		
2012		
2011		
2010		

Based on the information provided above, our maximum annual exempt glider vehicle production for this model year is **PBI / Ex. 4**

Employees

Year	Quantity
Current	3
Current – 1	3
Current – 2	3
Current – 3	3

Ownership Structure

Owner	% Ownership
<u>Flahart Transport Inc.</u>	100

I attest that Flahart Transport Inc. is not affiliated with any other company.

Please confirm that this request is acceptable and that Flahart Transport Inc. has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.

[Signature]
Signature of Company Official

President
Title

1/25/19
Date

Address / E-mail / Phone if not printed on company letterhead:

Flahart Transport Inc.
752 Nottingham Road
P.O. Box 248
Peach Bottom, PA 17563

Phone: 717-548-0282

Email: Flahart transport 752@gmail.com

PACCAR Glider Vehicle Assembler Certification

Enter Company Name

Flahart Transport Inc.

(hereinafter referred to as "Glider Vehicle Assembler") certifies to PACCAR Inc the information requested herein to assure compliance with 40 CFR 1037.635 and 1037.150 with respect to glider vehicles produced on or after January 1, 2018 from glider kits purchased from PACCAR Inc's Kenworth and Peterbilt divisions.

Glider Vehicle Assembler will complete the assembly of all designated glider kits provided by a division of PACCAR Inc by installing all missing components to complete the assembly of the glider vehicle. This could include, but would not be limited to, the engine, transmission, rear axle(s), and exhaust components.

Glider Vehicle Assembler certifies that each engine (including remanufactured engines) installed in a completed glider vehicle utilizing a designated glider kit will be installed in a certified configuration and properly labeled for the original engine model year in accordance with 40 CFR 1037.635(d).

Volume Limitations Certification

Pursuant to 40 CFR 1037.150(t)(1), for calendar year 2018 through calendar year 2020, you may produce a limited number of exempt glider vehicles. The limit applies to the quantity of your combined yearly production of vehicles from all vehicle OEM glider kits, and is equal to your highest annual production of glider vehicles in any calendar year between 2010 to 2014, up to a maximum of 300. Glider vehicles you produce in excess of this limit must comply with 40 CFR 1037.635, which includes delegated assembly, and requires the engine installed to be a post-2010 emissions engine.

Glider Vehicle Assembler certifies that its highest annual production of glider vehicles between 2010 through 2014 for sale or use in the United States was: Enter Volume: PBI / Ex. 4 in Year Circle One PBI / Ex. 4

Glider Vehicle Assembler certifies that it sold at least one glider vehicle in calendar year 2014. Initial Here

BCF

Small Manufacturer Status Certification

Glider Vehicle Assembler certifies that it will be producing/assembling the requested exempt glider kits for sale or use in the United States. Glider Vehicle Assembler meets the criteria referenced in 40 CFR 1037.150(c) and found in 13 CFR 121.201 for a small business. As such, the Glider Vehicle Assembler notified the Designated Compliance Officer of the U.S. EPA of its small business status for vehicle model year: Enter Model Year

2021

A copy of this reviewed and accepted notification is attached with this request. Initial Here

BCF

Record Keeping and Reporting

Glider Vehicle Assembler will be responsible for maintaining records of all glider vehicles they produce/assemble beginning in calendar year 2017. U.S. EPA may require reporting 2010 through 2014 volumes as well as current year produced/assembled glider vehicle volume as an end-of-year report.

Compliance Requirements

Glider Vehicle Assembler acknowledges its understanding that the following are all violations of the Clean Air Act under 40 CFR 1068.101 and/or 1068.105, and subject to EPA enforcement and penalties outlined in §1068.101(b)(1):

- (1) Introducing vehicles into commerce in an uncertified configuration;
- (2) Failure to follow OEM instructions or otherwise make unauthorized changes;
- (3) Failure to keep records, send reports, or give EPA information as required under this part or the Clean Air Act; and
- (4) Exceeding vehicle volume limitations per 40 CFR 1037.150(t)(1) and not complying with 1037.635.

Instructions: E-mail the completed and signed form to PB.GHG.Sales.Plan.Management@PACCAR.com. Any questions may be sent to the same address.

Glider Assembler (all fields required):			
By: Benjamin C. Flahart		Flahart Transport Inc.	
Signature		Company Name	
Printed Name: Benjamin C. Flahart		Address: 752 Nottingham Road	
Title: President		Peach Bottom PA 17563	
Email: flaharttransport752@gmail.com			
Phone: 717-548-0282		Date: 1/25/2019	

PACCAR Inc

777 106TH AVENUE NE, BELLEVUE, WA 98004 425-458-7400

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 10/25/2018 5:42:23 PM
To: Kolby Durci [kdurci@huntertrucksales.com]
Subject: RE: Body Builder Information for RTM
Attachments: 2020 RTM Transport LLC Small Business.pdf

Kolby,
Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine

From: Kolby Durci [mailto:kdurci@huntertrucksales.com]
Sent: Thursday, October 25, 2018 10:04 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: RE: Body Builder Information for RTM

How is this?

From: Healy, Stephen [mailto:healy.stephen@epa.gov]
Sent: Monday, October 22, 2018 3:51 PM
To: Kolby Durci
Subject: RE: Body Builder Information for RTM

Kolby,
For EPA I need the letter on page 4 completely filled out with the company name, address, phone and email along with the correct model year for the gliders that will be ordered.

Thank you,

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

From: Kolby Durci [mailto:kdurci@huntertrucksales.com]
Sent: Monday, October 22, 2018 2:24 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: FW: Body Builder Information for RTM

Good Afternoon Stephen,

Could you please look this over and provide your signature? If I'm missing something please let me know as I do not do this step very often.

Thanks,

Kolby Durci | Sales Representative

Hunter Truck | Butler/Pittsburgh

519 Pittsburgh Road

Butler, Pa 16002

Work # 724-586-7744 | Fax # 724-586-2151 | Cell # 724-316-9800

Kdurci@huntertrucksales.com

www.huntertruck.com

HUNTER TRUCK

From: Kolby Durci [<mailto:kdurci@huntertrucksales.com>]

Sent: Monday, October 22, 2018 1:57 PM

To: 'Deborah Rogstad'

Subject: RE: Body Builder Information for RTM

Deb,

Attached is the information you need, does everything look okay? Also, will they have the same assembler code 9409256?

Kolby Durci | Sales Representative

Hunter Truck | Butler/Pittsburgh

519 Pittsburgh Road

Butler, Pa 16002

Work # 724-586-7744 | Fax # 724-586-2151 | Cell # 724-316-9800

Kdurci@huntertrucksales.com

www.huntertruck.com

HUNTER TRUCK

From: Deborah Rogstad [<mailto:Deborah.Rogstad@PACCAR.com>]

Sent: Wednesday, October 17, 2018 4:37 PM

To: Kolby Durci

Subject: RE: Body Builder Information for RTM

Good afternoon Kolby,

It's the same process we did for 2018. Step one is to send the Small Business letter to EPA (address at the top). Then forward it to me with the other forms and I'll get them set up. Please let me know if there are questions.

Deb Rogstad

Senior Marketing Analyst - GHG

940.591.4201

From: Kolby Durci <kdurci@huntertrucksales.com>

Sent: Wednesday, October 17, 2018 3:31 PM

To: Deborah Rogstad <Deborah.Rogstad@PACCAR.com>

Subject: RE: Body Builder Information for RTM

Good Afternoon Deb,

RTM is planning on ordering another glider for next year. What do I have to do to get permission to place the order?

Thanks,

Kolby Durci | Sales Representative

Hunter Truck | Butler/Pittsburgh

519 Pittsburgh Road

Butler, Pa 16002

Work # 724-586-7744 | Fax # 724-586-2151 | Cell # 724-316-9800

Kdurci@huntertrucksales.com

www.huntertruck.com

HUNTER TRUCK

From: Deborah Rogstad [<mailto:Deborah.Rogstad@PACCAR.com>]

Sent: Thursday, January 04, 2018 4:17 PM

To: Kolby Durci

Subject: RE: Body Builder Information for RTM

Good Afternoon Kolby,

RTM Transport's assembler sales code is 9409256. Please enter this code in PROSPECTOR when you place the order.

Thanks!

Deb Rogstad

Senior Marketing Analyst - GHG

940.591.4201

From: Kolby Durci [<mailto:kdurci@huntertrucksales.com>]

Sent: Thursday, January 04, 2018 3:05 PM

To: Deborah Rogstad <Deborah.Rogstad@PACCAR.com>

Subject: FW: Body Builder Information for RTM

Good Afternoon,

Attached is the reviewed and accepted small business notification letter. Could you please provide me with the body builder number so I can order?

Thanks,

Kolby Durci

New & Used Sales Representative

Hunter Truck Sales & Service Inc. — Butler & Pittsburgh



4637 Campbells Run Road

Pittsburgh, PA 15205

412-787-0600 Office

519 Pittsburgh Road

Butler, PA 16002
724-586-7744
724-316-9800 Cell
kdurci@huntertrucksales.com
www.huntertrucksales.com

From: Healy, Stephen [<mailto:healy.stephen@epa.gov>]
Sent: Thursday, January 04, 2018 4:02 PM
To: Kolby Durci
Subject: RE: Body Builder Information for RTM

Please find the attached EPA small business notification letter stamped "Reviewed and Accepted".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

RECEIVED

DATE: 10/25/18

Stephen Healy
EPA OTC Compliance Division
Diesel Engine Compliance Center
Healy.Stephen@epa.gov

Re: Model Year, 2020
~~2019~~

Request for Small Business Exemption as a Glider Vehicle Assembler

RTM Transport LLC

PO Box 335, Berlin OH 44610

5019 CR 120, Millersburg OH 44654

Ph 330-893-2813

Fax 330-893-6403

Email cr5019@frontier.com

[Insert Assembler Name] certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	
2013		
2012		
2011		
2010		

Based on the information provided above, our maximum annual exempt glider vehicle production for this model year is

PBI / Ex. 4

Employees

Year	Quantity
Current	5
Current - 1	4
Current - 2	6
Current - 3	6

Ownership Structure

Owner	% Ownership
Allen S. Troger	100%

I attest that RTM Transport LLC is not affiliated with any other company.

Please confirm that this request is acceptable and that RTM Transport LLC has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.

Allen S. Troger
Signature of Company Official

John W. Miller
Title

10-22-18
Date

Address / E-mail / Phone (if not printed on company letterhead)

J. E. HERRING MOTOR COMPANY

286 Neilan Road, Route 31 West • Somerset, PA 15501 • 814/445-4577

2020

Re: Model Year 2020 Request for Small Business Exemption as a Glider Vehicle Assembler

JE Herring Motor CO certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	
2013		
2012		
2011		
2010		

Employees

Year	Quantity
Current	47
Current – 1	51
Current – 2	52
Current – 3	51

RECEIVED

DATE: 10/1/18

Ownership Structure

Owner	% Ownership
Walter E Herring	34 %
Patricia A Herring	17 %
Patrick E Herring	24.5 %
Matthew E Herring	24.5 %

Please confirm that this request is acceptable and that JE Herring Motor CO has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.

Patrick Herring

Signature of Company Official

Sec.

Title

10-1-18

Date

Message

From: Healy, Stephen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D1638B0A30364C7D98EA7AF410A9CB2A-HEALY, STEPHEN]
Sent: 9/14/2018 1:57:27 PM
To: Greg Larson [greg@larsontrucks.com]
Subject: RE: Updated Exemption Letter
Attachments: 2019 Kounkel Trucking LLC Small Business.pdf

This one should be correct.

-----Original Message-----

From: Greg Larson [mailto:greg@larsontrucks.com]
Sent: Friday, September 14, 2018 9:54 AM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Re: Updated Exemption Letter

Stephen,
There is nothing Stamped on the attached Letter you sent back to me ?
thanks,
Greg Larson

-----Original Message-----

From: Healy, Stephen
Sent: Friday, September 14, 2018 8:44 AM
To: Greg Larson
Subject: RE: Updated Exemption Letter

Greg,
Please find the attached EPA small business notification letter stamped "Received".

Stephen Healy
Mechanical Engineer
EPA OTAQ Compliance Division
Diesel Engine Compliance Center
734--214-4121

-----Original Message-----

From: Greg Larson [mailto:greg@larsontrucks.com]
Sent: Thursday, September 13, 2018 4:07 PM
To: Healy, Stephen <healy.stephen@epa.gov>
Subject: Updated Exemption Letter

Stephen,
Here is the Updated information from Kounkel.
let me know if you need anything else .
thanks,
Greg Larson

-----Original Message-----

From: sales@larsontrucks.com
Sent: Thursday, September 13, 2018 1:52 PM
To: Greg
Subject: Message from "RNP002673A1EA91"

This E-mail was sent from "RNP002673A1EA91" (MP C3003).

Scan Date: 09.13.2018 14:52:39 (-0400)
Queries to: sales@larsontrucks.com



09/14/2018 01:27 PM

KOUNKEL TRUCKING LLC

NO. 0930 1, 1

Stephen Healy
EPA OIAQ Compliance Division
Diesel Engine Compliance Center
Healy.Stephen@epa.gov

KOUNKEL TRUCKING LLC
29792 280th St.
MERRILL IA, 51038

Re: Model Year 2019 Request for Small Business Exemption as a Glider Vehicle Assembler

[Insert Assembler Name] certifies that it qualifies as a small business per 13 CFR 121 and is classified as Heavy Duty Truck Manufacturing NAICS Code 336120 Subsector 336 – Transportation Equipment Manufacturing per 13 CFR 121.201.

Glider Vehicle Production

Year	Assembled	Sales (if different)
2014	PBI / Ex. 4	
2013		
2012		
2011		
2010		

Based on the information provided above, our maximum annual exempt glider vehicle production for this model year is **PBI / Ex. 4**

Employees

Year	Quantity
Current	5
Current – 1	
Current – 2	
Current – 3	

RECEIVED

DATE: 9/14/18

Ownership Structure

Owner	% Ownership
Derek Kounkel	1/3 33%
Chad Kounkel	1/3 33%
Jack Kounkel	1/3 33%

I attest that Kounkel Trucking is not affiliated with any other company.

Please confirm that this request is acceptable and that Kounkel Trucking has met all the requirements for the small business exemption as a glider vehicle assembler. Thank you for your assistance.

[Signature] Owner - President 9/7/18
Signature of Company Official Title Date

Address / E-mail / Phone (if not printed on company letterhead)